NATIONAL MUNICIPAL REVIEW

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New Day Coming to Chicago ..... *Editorial*

How to Get a New Constitution ..... *Charlton F. Chute*

Simplifying State's Business ..... *Arthur W. Bromage*

An Effective Chief Executive ..... *Leslie M. Gravlin*

Modernizing the Legislature ..... *Joseph P. Harris*

Nine Communities Added to Manager List 147

Research Reports Aid Legislators 154

Kentucky Moves for New Constitution 160

Election Systems in New York Compared 165

Fulton County Gets Manager Plan 169

Airport Management Argued 173

Latin America Maps Housing, Planning 177

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Contents for March 1947

EDITORIAL COMMENT ..... *Alfred Willoughby* 122

HOW TO GET A NEW CONSTITUTION ..... *Charlton F. Chute* 124

SIMPLIFYING STATE'S BUSINESS ..... *Arthur W. Bromage* 131

AN EFFECTIVE CHIEF EXECUTIVE ..... *Leslie M. Gravlin* 137

MODERNIZING THE LEGISLATURE ..... *Joseph P. Harris* 142

NEWS IN REVIEW

CITY, STATE AND NATION ..... *H. M. Olmsted* 147

RESEARCHER'S DIGEST ..... *John E. Bebout* 154

CITIZEN ACTION ..... *Elsie S. Parker* 160

PROPORTIONAL REPRESENTATION .... *George H. Hallett, Jr., and Wm. Redin Woodward* 165

COUNTY AND TOWNSHIP ..... *Elwyn A. Mauck* 169

TAXATION AND FINANCE ..... *Wade S. Smith* 173

LOCAL AFFAIRS ABROAD ..... *Edward W. Weidner* 177

BOOKS IN REVIEW 179

The contents of the NATIONAL MUNICIPAL REVIEW are indexed in the *Engineering Index Service*, the *Index to Legal Periodicals*, the *International Index to Periodicals* and in *Public Affairs Information Service*.

National Municipal Review

Editorial Comment

New Day Coming to Chicago

IT LOOKS like the possible dawn of a new political era in the nation's second largest metropolis, something which will be unfamiliar in the memory of a great many Chicagoans.

Although it is too early to say that the cleansing hand of reform is actually taking hold, there have been several developments which seem fraught with possibility.

Al Capone, who more than any other man is generally considered responsible for the notorious alliance between politics and crime, died in his palatial fortress-estate in Florida. The voters declared overwhelmingly in favor of the use of voting machines in elections and, inferentially, against the domination of self-serving political machines. Edward J. Kelly, longtime mayor, was eased out of the leadership of the dominant political party and was even dropped as a candidate to succeed himself. He was forced to give way to a business man who, of all things, has been known chiefly for his steadfast opposition to many of the activities of what has been known as the Kelly machine.

Martin Kennelly, who was chosen by the organization as mayoralty candidate to succeed Kelly, is a successful, self-made business man but, in the popular mind, is primarily a forthright civic reformer. He is prominently identified with the Chicago Crime Commission which has made no bones about exposing police practices. Mr. Kennelly made it clear that there was no secret deal and that he had consented to head the ticket only with the understanding that there are no strings attached, and that was interpreted by the organization to mean he would countenance no continuation of customary political abuses.

Proof that the organized political minorities intend to do anything more than wash their faces publicly will come, however, only in a demonstration that they are really willing to give the unorganized, hopeless and usually apathetic majority a chance at self-government.

Will they, for example, make it possible for Chicago and other Illinois communities to decide for themselves what form of government they want? In that state only places under 5,000 population may vote for the council-manager plan. None has done so, probably because of the unusual lack of nearby examples of its operation. The six which have the manager plan all are villages which have adopted the plan by ordinance. Meanwhile, there have been 80 adoptions of the plan by communities in Maine and more than 700 in the U. S.

If the predatory politicians of Illinois unlocked the door there would be a tremendous rush for responsible home rule. Do they dare relinquish their dictatorship?

The Manacled State

A GREAT many people will agree with Governor Alfred E. Driscoll of New Jersey that "The popular mandate of November 1946 was a mandate to all the states to assume their proper role in the federal system, a role which requires an efficient frame of government." Governor Driscoll made the calling of a constitutional convention the number one project of his administration.

Movements for constitutional revision are afoot in a number of other states, including Kentucky, Tennessee, Louisiana, Florida and Oklahoma. It is significant that these five are in the south, which is displaying more civic energy and initiative than some supposedly more "progressive" sections.

One thing is certain. The 1946 mandate for more effective state and local government will be meaningless unless the people of the states do something about it. Thomas Jefferson pointed this out more than 150 years ago when he observed that it is not possible to strengthen the state governments "by any change in the federal constitution . . . it must be done by the states themselves, erecting such barriers at the constitutional line as cannot be surmounted either by themselves or by the general government. The only barrier in their power is a wise government. A weak one will lose ground in every contest." Then followed a constitutional prescription for smaller legislatures proportioned "equally among the electors," more responsible executives and more independent judiciaries.

How far most of our state constitutions still are from meeting these tests is all too obvious. In the meantime, instead of improving the frame of government to attract the best men and permit them to serve the state efficiently, the typical state has taken the defeatest road of multiplying constitutional limitations in the vain attempt to keep bad men from doing too much harm. This has forced the people to go to Washington for many services which otherwise could have been performed better and more safely at home.

An eminent political scientist has found in the American state a novel political form, "the manacled state —the state that puts a strait-jacket and handcuffs on government."

Surely no American who does not enlist in the battle to take the handcuffs off his own state government has any right to object to the continued flow of power and authority to Washington. In most states the battle must seek drastic constitutional changes designed, as Charles Edison has said, to "make good government easy and natural."

Americans who believe that democracy begins at home are working as never before for the improvement of local charters and the stengthening of local civic machinery. In many states they are discovering that the state constitution is a serious obstacle to their efforts.

Let's have more and better constitutional revisions. That is one way to demonstrate that our system really has the vitality needed for survival in the atomic age. —J. E. B.

How to Get a New Constitution

It takes a lot of doing and the vital need is to inform the people thoroughly on what is wrong with the old one.

By CHARLTON F. CHUTE*

PROBABLY no state constitution will be either amended or rewritten until a large share of the people believes there is need for change. This is fundamental. It underlies the whole procedure of constitutional revision. In Missouri, where a new constitution was adopted in 1945, an informed electorate was at the very heart of success.

Missouri's former constitution was adopted in 1875, but it had been modernized to a degree by adoption of 56 amendments during its 65-year history. So, although in some respects the amended constitution was suited to modern conditions, the amending process had resulted in a poorly arranged, patchwork document.

When the new constitution was adopted by popular vote on February 27, 1945, it was the first time in 35 years that a state constitution had been completely rewritten, submitted to the voters as one document, and adopted by them. This event is the more striking when it is realized that the constitution was adopted by a vote of almost two to one (312,032 to 185,658). It carried not only in St. Louis and Kansas City but also in almost half the state's counties. It was supported by 106 newspapers out of 123 which were polled on the question. The new constitution was endorsed by all six living ex-governors and the present governor, the heads of the Democratic and Republican state committees, the three statewide farm organizations, the teachers association, organized industry, organized labor, chambers of commerce, organizations of professional men such as doctors and lawyers, the League of Women Voters and the Missouri Municipal League. No person or organization of prominence publicly opposed its adoption.

Such widespread support is to be explained in part by the merits of the new document, but certainly of equal importance were the procedures adopted before, during and after the convention to bring about a favorable vote.

Constitutional revision began six years ago in an atmosphere of futility. People said, "Why try again to get a new constitution? It can't be done in Missouri." A few who were not impressed with the futility of such an attempt were gravely concerned over the prospect that a convention might write, and the people adopt, a constitution of a radical nature. In New Jersey, in the early days of the campaign in that state, great alarm was expressed over the

*Dr. Chute, director of the St. Louis Governmental Research Institute, took leave of absence to act as director of the Legislative Research Committee of the Missouri General Assembly during the preparation and adoption of legislation designed to put the new constitution of which he writes into effect. He is author of a number of publications dealing with the government of St. Louis. This article is his address before the Southern Institute of Local Government at Nashville in November 1946.

possibility of a radical new constitution. In both cases these fears proved groundless and were not heard after work on the document began.

The feeling of futility was probably caused by the generally unsatisfactory results of a convention held twenty years earlier. There was a general recognition in more informed circles, however, of the need of revision. It was believed that the framers of the 1875 document did a good job to meet the conditions of their day but that many changes were in order if the constitution was to be made adequate for present-day problems. Newspapers, especially in St. Louis and Kansas City, continued to point out the shortcomings of the old constitution.

Outlining the Task

An analysis of the failure twenty years earlier led to the outlining of the job to be done in three main fields: (1) getting a favorable vote on the question of calling a convention; (2) securing good delegates to the convention and drafting a good document; and (3) getting the people to adopt the new document, provided it merited such action.

Many observers felt that one reason for the discouraging results of the 1922 convention was failure to recognize the importance of this third field. Almost no effort had been made to explain the proposed amendments to the voters and to educate them on their merits.

Many voters had heard general criticism of the constitution but had not been given specific and practical information showing the short-comings and the failures of various provisions. Here is where a research agency which represents citizens and taxpayers can make a great contribution to public understanding.

We located and supported by facts the exact nature of provisions of the old constitution that had broken down in practice. By publishing these findings in bulletins and with the hearty cooperation of the newspapers the story was brought home to millions of citizens. This was the first, and greatest, benefit of research, namely, broad public education through facts showing conclusively the need for constitutional revision.

But there were secondary benefits flowing from this research approach. Later, when delegates were elected, they came to the convention well informed on the need for revision and convinced there was a job to be done. This was quite in contrast to the situation twenty years earlier, when it was said that many of the ablest delegates came to the convention with the feeling that our 1875 constitution was a sacred document and resolved to resist all changes. One of the first motions made in the old convention, that it adjourn *sine die*, very nearly passed.

Five years before the new constitution was adopted the Governmental Research Institute of St. Louis began a series of research studies and reports on the need for constitutional revision. In October 1940 its staff drafted a radio interview titled "Revising the Constitution of Missouri" which was later printed and distributed. Today that pamphlet seems trivial and superficial but at the time it was a contribution to popular understanding and was used widely.

In the spring of 1941, the institute

published its report on a survey of the government of the city of St. Louis, most of the research for which had been made in 1939 and 1940. The report recommended that the constitution be amended with respect to the taxation of intangible personal property.

League Conference Helps

For some time civic leaders in St. Louis had wanted to bring the National Municipal League's National Conference on Government to the city, and arrangements were made for this conference to be held in November 1941. A program committee of local leaders was created who decided that a new state constitution was the most important issue in the state and that it would be wise to relate a large part of the conference program to it.

One of the things to avoid in Missouri is the latent urban-rural conflict. For this reason those interested took some pains to discover leading citizens of rural areas and small towns who believed a new constitution was needed.

One such man was President Franc McCluer of Westminster College in Fulton, who called a meeting of prominent citizens in his area to discuss the need for constitutional revision. This group then issued a call for interested citizens to attend the League conference in St. Louis.

The League's conference promoted public support for revision in two ways. In the first place the newspapers gave a large amount of space to its sessions which pointed out needed changes in the fields of county government, city government, schools and so on. Secondly, the conference provided an opportunity for those concerned with the constitutional issue, coming as they did from all over the state, to organize for the work ahead.

On the last day of the conference a meeting was held to discuss organization. The chairman, Dean Isidor Loeb, formerly of the University of Missouri and Washington University in St. Louis, appointed a committee of ten to decide the form of organization. It recommended a statewide committee of two prominent men from each of the 114 counties.

Several months prior to the League conference the secretary of state publicly expressed doubts as to the adequacy of the old constitution's provision that the question of holding a constitutional convention be placed on the ballot every twenty years. The secretary of state attended some of the conference meetings, however, and witnessed the interest and enthusiasm displayed in favor of a constitutional convention. After the conference he announced he would see that the question appeared on the November 1942 ballot. While there is no proof that the conference actually caused the secretary of state to change his mind, there is good reason to believe that a cause-and-effect relationship existed.

A few weeks later Pearl Harbor was attacked and the country went to war, but the leaders decided to carry on because their purpose seemed in harmony with the aims of this country in the war.

It was at this time that information on the weak spots of our constitution was publicized in such a way that it would not arouse opposition. One bulletin, for instance, pointed to the

fact that when the old constitution was framed more than two-thirds of the postal routes in the state were served by stagecoach and saddle horse. Other bulletins dealt with the rise of new forms of taxation at the state level, the unwieldy character of the executive branch because of the large number of administrative agencies, the breakdown of the constitutional provision for the control of state debt, and the large number of local governments.

Readers appreciated bulletins in which facts were set forth on state problems without too specific a solution. Occasionally alternative solutions to a problem were suggested in general terms.

Perhaps the most important bulletin was that which disclosed, for the first time, that about a third of the larger cities had exceeded their constitutional tax rate limits. This pointed to a breakdown in constitutional control of taxation. For the first time an urgent reason for outstate Missouri's vital concern with constitutional revision was demonstrated and mayors and other city officials saw why they must support the movement.

Newspapers gave widespread publicity to these bulletins, so that the information reached a larger number of readers than did the bulletins themselves.

To the surprise of most political observers the voters in November 1942 favored the calling of a convention.

There are a few things that occurred during the drafting of the new constitution which should be mentioned. Under the leadership of Professor Martin Faust of the University of Missouri a number of research men from colleges and universities undertook to collect, analyze and publish in pamphlet form research material on each article of the constitution. These studies brought to light additional reasons for revision.

Maintaining public support at this point proved to be a critical matter. It was found that a number of prominent people were inclined to say that "if the new constitution doesn't have the unicameral legislature I will be unable to support it" or "if the new constitution doesn't change the method of selecting judges I will be against it," and so on. It was necessary to spread the idea that the new constitution could not satisfy everyone, that compromise was inevitable, but that it was hoped the new document would be a great improvement.

Delegates Lend Aid

Delegates and others made frequent talks before public meetings and service clubs, explaining what the convention was about and why it was taking so long. Newspapers were kept informed of developments, contributing greatly toward maintaining public support. Another aid was the high esteem in which the delegates were held in their communities.

The president of the convention, Robert Blake, for many years a trustee of the St. Louis Governmental Research Institute, announced several policies at the beginning of the convention which were well received by the public. Among these were:

1. The keynote would be brevity, that is, a shorter constitution and a convention of brief duration;

2. Individuals and organizations

would be encouraged to appear before the convention's committees to present recommendations and would be assured a courteous hearing;

3. There would be no executive sessions of committees and the newspapers would be encouraged to study and report convention activities.

Another factor contributing to public support was the attitude of the great majority of delegates who said they wanted to write as modern a constitution as the people would accept. In other words, by working for a moderately progressive constitution they produced one the people would support.

Campaign for Adoption

Finally came the campaign for adoption. A mass meeting was called for December 5, 1944, in Jefferson City and at that time the "Missouri Committee for the New Constitution" was officially organized. Practically all groups in the state—business, labor, religious, education, women, etc.—were represented. Jacob M. Lashly of St. Louis, a former president of the American Bar Association, was elected chairman; other distinguished Missourians were also elected to serve as officers. Headquarters were established in St. Louis, with former delegate Franc McCluer, president of Westminster College, referred to earlier, serving as director. Under him were bureaus on organization, publicity and speakers.

It was realized, of course, that the campaign must be adequately financed. The results proved that the money provided was adequate. Just how much the campaign cost has never been stated officially, but well informed observers believe it approximated $100,000. The St. Louis Chamber of Commerce announced it was contributing $20,000 to the campaign fund.

Letters had been written by delegates to leading citizens and organizations asking their approval of the new constitution. It was easy to secure such approvals because the delegates had solicited these groups for their ideas at an earlier date and had received the groups with courtesy whenever they appeared before the convention or its committees.

The organization bureau employed ten field men and assigned ten to twelve rural counties to each. These men reached the voters in practically every precinct by seeing that an active organization was established in every county and by coordinating the campaign.

The publicity bureau regularly published releases which were used by a surprisingly large percentage of rural newspapers.

The speakers bureau, headed by former delegate Les C. Deason, recruited 170 speakers and held several schools for them. No one knows how many speeches were made but it was said there may have been as many as 5,000. There were delegates from every section who were good public speakers and who were well known as men of ability in their communities. Nearly every statewide conference had one or more delegates appear before it.

The state paid for 500,000 pamphlet copies of the new constitution, which contained the *Address to the People*. This address was also published at state expense in all the newspapers. Social study classes of

high schools were provided with 100,000 copies of the pamphlet entitled *Constitution Making in Missouri*, printed by the State Teachers Association. The St. Louis Governmental Research Institute issued a series of seven one-page bulletins analyzing the most significant provisions of the new constitution.

These bulletins were used by public school and college students and through the news and editorial columns of the newspapers they reached millions of readers.

All Points of View Reached

Arguments in favor of the proposed constitution were addressed to voters of various viewpoints. Those who cherished tradition welcomed the statement in the *Address to the People* which says that the old bill of rights is excellent. Those most concerned with economy were interested to know that the new Department of Revenue would probably save a million dollars a year. Those most interested in making popular government more effective could see provisions extending the privilege of absent voting and others making an end of secret star chamber legislative committees. Those interested in strengthening local democracy were delighted with numerous provisions on city and county government. Those primarily concerned with efficiency in government liked the provisions for the reorganization of state government and the merit system. Finally, those interested in speedy and impartial justice generally praised the new article on the judiciary.

Organized opposition was led by three or four delegates to the convention and a circuit clerk from a rural county. Their chief arguments were that Negro and white children might attend the same schools, that taxes would be increased and that it was unfair to the men in the armed forces to adopt a new constitution in their absence.

Recent experiences in both New Jersey and Missouri indicate that opponents will probably make a last-minute attack on a new constitution by distorting some of its provisions. In Missouri it was found that the best way to meet this was by a thorough-going education of the public over a considerable period. There is no substitute for this. It was found advantageous, however, to launch a last-minute direct mail campaign to expose the fallacious statements of the opposition.

Checklist of Ways to Secure Public Support for Constitutional Revision

1. Convince the legislature, an appointive committee, or the voters generally that the constitution needs revision.

2. Present evidence of the shortcomings of the constitution. Emphasize issues that the majority agrees need correction.

3. Give wide distribution to the facts presented, using a variety of media so as to reach the various groups whose support is sought. Publish a series of short, popularly written bulletins.

4. Utilize statements from prominent citizens, such as former governors from both major parties, to dramatize the

need for constitutional revision.

5. Avoid increasing the urban-rural conflict by soliciting support from all areas.

6. Encourage outstanding citizens to become candidates for delegates.

7. Interest other citizens in backing up the work of the convention if it merits it.

8. Encourage organized groups to appear before the convention to suggest changes.

9. A good public relations policy for the convention is of great value. A "good press" is of untold help. Delegates who are good speakers should talk to clubs and conventions to explain the work of the convention.

10. Do not antagonize either of the major political parties.

11. If Missouri's experience is generally valid, the public will not support a long-drawn-out convention.

12. Put research services at the disposal of delegates to the convention or their committees.

13. Encourage the thought that the proposed constitution will be a compromise that will not completely satisfy all interests, but that it will be a great improvement over the old document.

14. After the constitution is framed, do not relax on the job of public education. This is the best insurance against a last-minute campaign of distortion.

15. So far as possible, get endorsements from all prominent citizens—men in both parties who have been governor, mayor, senator, congressman, etc. Also get the endorsement of as many statewide and local groups as possible. These should include farmers associations, chambers of commerce, organized labor, teachers associations, the bar, church leaders, veterans, the League of Women Voters, and so on. Such endorsements have great weight with the average voter.

16. Be careful that the friends of constitutional revision do not make inaccurate claims about the new constitution, either through excessive zeal or lack of understanding or carelessness.

17. Missouri's experience shows that those in charge of the campaign will find the following of great value in mobilizing public support: speakers, leaflets, direct mail, radio, moving pictures, school essay contests and bulletins from research agencies and taxpayers organizations.

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Simplifying State's Business

Revitalizing of administrative processes with citizen leadership seen best way to resist federal centralization.

By ARTHUR W. BROMAGE*

THE *Model State Constitution* of the National Municipal League holds to the standard that the state governor must have a central and powerful position in administrative management. This document provides for a governor who is to be a chief administrator in fact as well as in theory. In the interests of sound public administration the *Model State Constitution* deserves careful analysis in those states which have not yet undergone major administrative reorganization.

Briefly, its major provisions designed to make the governor a chief administrator are as follows:

1. The governor is given a four-year term, time enough to develop and execute policies in public administration;

2. He is to have a span of control over administrative departments not to exceed twenty in number.

3. He is authorized to appoint and remove the heads of all administrative departments.

With these major standards in mind, and they are sound principles, let us examine the record in the 48 states. After World War I there was a significant trend to state administrative reorganization designed to integrate public administration under the governors. It is probable that a similar trend will follow the resurgent interest in state administration now that World War II is history.

In administrative reorganization, designed to give the governor control over an integrated administrative mechanism, the states have made substantial progress in the last 25 years. The states which have been outstanding in following the principles of the *Model State Constitution* are New York and Virginia. These states are customarily designated as the integrated type because they amended their constitutions to provide for a short ballot and for the integration of administration under the governor.

In New York, in response to the demands of Governor Alfred E. Smith and others, the legislature placed a constitutional amendment before the people which was ratified in 1925. This specified the number of departments among which the legislature was directed to make appropriate assignment of all civil, administrative and executive functions. The result was that some 180 administrative agencies had to be corre-

*Dr. Bromage, professor of government at the University of Michigan, has only recently returned from Germany where he was lieutenant colonel with the U. S. Army Military Police Corps. Dr. Bromage was a consultant to the Michigan Commission of Inquiry into County, Township and School District Government during 1931-33 and secretary of the Michigan Commission on the Reform and Modernization of Government, 1938-39. He is author of numerous books, pamphlets and articles on local and state government. This article is Dr. Bromage's address before the National Conference on Government of the National Municipal League on November 13.

lated into not more than twenty new units of administration. Only the governor, lieutenant governor, comptroller and attorney general remained as elective officers.

This constitutional solution, following in large measure the principles of the *Model State Constitution*, has served New York well through the years. It has enhanced the prestige of the governor's office and has permitted the governor to be chief administrator in practice over a small number of departments within which public administration is integrated. The practical experience of New York attests the essential validity of the principles of the *Model State Constitution* as to administrative reorganization.

Reorganization in Virginia

In Virginia, by the reorganization act of 1927 and the constitutional revision approved by the electorate in 1928, the governor became the focal point in administrative management. Only the governor, lieutenant governor and attorney general remained elective by the people. While Virginia failed to follow the desirable rule of single heads for many of its reorganized departments, the basic conclusion is that the Virginia reorganization established the leadership of the governor in administration.

Of the Virginia system, Professor George W. Spicer has said: "In addition to the governor's control over administration through the power of appointment and removal, and the power to require reports from, and to make investigation of, the heads of departments and institutions, he maintains a continuous control over the financial affairs of the state through the various divisions of the so-called Department of Finance and the Division of the Budget."

The governors represent the people of their respective states. The people look to them for leadership in and control of the administrative process. There is no other logical place for them to fix responsibility. The New York and Virginia reorganizations followed through on this normal public reaction by making the governor a responsible chief administrator.

A majority of the states which have undergone administrative reorganization fall into the partially integrated type. This is frequently called the Illinois plan because it was originally adopted by that state in 1917. It has been the forerunner of a lesser breed of state administrative reorganizations.

The essence of the Illinois plan is a reorganization of miscellaneous statutory agencies into a series of administrative code departments under the governor, leaving untouched the long ballot for the election of the attorney general, auditor, secretary of state, treasurer and superintendent of public instruction. Some of the other states which have followed in the tradition of partial integration under the governor are Alabama, California, Idaho, Kentucky, Louisiana, Ohio, Pennsylvania, Rhode Island and Washington.

Where a state has accomplished only a partial integration and has continued the long ballot, the elective administrative officers can and do compete with the governor in administrative management and in public interest. The governor can be best

described as a limited chief administrator having control over the greater portion of state affairs but lacking full and complete responsibility for all phases of public administration.

Exhaustive and authoritative studies are needed of the operation of administration in the partially integrated states. Comparative studies are also needed to evaluate the integrated and the partially integrated states. This is a fruitful field for investigation by political scientists and students of public administration.

Partial Integration Systems

From fragmentary and scattered evidence it is argued that the partially integrated system does not always perform well. In Illinois, the originator of the system of partial integration, it is possible for an elective officer—and it sometimes happens—to embarrass the administration. The elective officer is entitled to act as an executive in his own right for he holds a direct mandate from the people. Partial integration is at best only a partial answer to the fundamental problem of making the governor a chief administrator with a central position in administrative management.

Still other states have emphasized fiscal management. They have depended in large measure upon fiscal control by the governor. In this group management is sought through financial supervision more than through administrative integration. Examples are Connecticut, Maine, North Carolina, South Dakota and Wisconsin.

Fiscal control is one of the most important cogs in administrative management. In any system of public administration, whether integrated, partially integrated or disintegrated, adequate fiscal control in the hands of the governor is a fine-cutting administrative tool. On the other hand, we should not forget the basic problem of integration.

Connecticut is commonly classified as the fiscal-control type. This state elects a controller, treasurer, secretary of state and attorney general. Many of the administrative department heads are appointed for four-year terms although the governor's term is for only two years. The governor is automatically placed by constitutional and statutory provisions in a difficult position if he wishes to establish unified administrative management for state policy. The fiscal-control type like the partially integrated type falls short when judged by the standards of the *Model State Constitution.*

Some states do not fall readily into either the integrated, the partially integrated or the fiscal-control type. Michigan, with more than a hundred departments, boards and commissions, may be described as a collection of independent, semi-independent and some integrated units of government rather than a unified system of administrative management. Most outstanding in Michigan is the continuation of the long ballot and the lack of any comprehensive overhauling of the administrative mechanism since the Groesbeck limited reorganization of 1921.

During the administration of Governor Frank Murphy in 1938 the Michigan Commission on Reform and Modernization of Government raised

six basic questions as to general executive organization in Michigan. These were:

1. Practice of electing certain department heads by popular vote (i.e. the long ballot for auditor general, secretary of state, superintendent of public instruction, attorney general and state treasurer);
2. Inadequate compensation of certain state officers, especially constitutional officers;
3. Proper use of the board or commission as an administrative agency;
4. Need for the consolidation of the whole executive and administrative organization into a smaller number of departments, perhaps not more than fifteen;
5. Lack of a governor's cabinet;
6. Four-year term as against the two-year term for governor.

Michigan Problems Unsolved

These fundamental questions were raised by an official body in 1938. It is now 1947 and we have not yet found the answers in practice. Progress has been made in the establishment of a department of revenue and of a merit system. But the basic problems of administrative integration in relation to the governor's office remain unsolved. In Michigan the long ballot is partially overcome by the admixture of the primary and convention systems. The candidates for governor are nominated in primaries but the candidates for secretary of state, treasurer, attorney general and auditor general are nominated by party conventions. This permits a gubernatorial candidate nominated in the primary to influence the selection of his party's slate at the subsequent convention.

The logical approach to administrative reorganization in Michigan would be a constitutional amendment providing for: (1) the short ballot; (2) a four-year term for governor; (3) consolidation of state agencies and activities into not more than twenty departments responsible to the governor, each embracing similar functions in public administration; and (4) an authorization to the governor to accomplish administrative reorganization by executive orders subject to review by the legislature. This is a long range objective. A four-year term for governor would be highly desirable. It would give a governor sufficient time to familiarize himself with the problems of state administration and to work out a program of constructive public service.

On the other hand, the voters of Michigan have recently presented the governor and legislature with basic problems which cannot be solved by administrative reorganization. At the November 1946 election they adopted an initiated constitutional amendment which provides for a diversion of approximately 76 per cent of the sales tax, the state's most lucrative source of revenue, to the school districts, cities, villages and townships. At the same time they adopted an amendment calling for a $270,000,000 bond issue to pay a bonus to veterans of World War II. This makes financial problems a number one priority in Michigan and new taxes, or increases in the rates of old taxes, inevitable if services are to be maintained.

Missouri is an outstanding example

of a state which has recently tackled the problem of state administrative reorganization. In this instance administrative reorganization was required by the revised constitution adopted by Missouri voters in 1945. The major features are:

1. Consolidation of more than 70 agencies of administration into thirteen departments—ten major offices and departments enumerated by the constitution and three established by the legislature under a constitutional mandate limiting the total to not more than fourteen;

2. Retention of the long ballot for auditor, treasurer and secretary of state but limiting their powers and duties by constitutional definitions;

3. Establishment of a finance department with comprehensive powers under the title of a department of revenue;

4. Creation of a state merit system which places approximately half the employees under a centralized civil service system;

5. Integration of nine departments under the governor, five of these headed by single directors appointed by the governor and state senate;

6. A broad grant of responsibility to the governor for administrative reorganization which reads as follows: "Unless discontinued all present or future boards, bureaus, commissions and other agencies of the state exercising administrative or executive authority shall be assigned by the governor to the department to which their respective powers and duties are germane."

One may conclude that Missouri has greatly improved upon the Illinois plan of partial integration. Although the long ballot remains, independent lesser executives, such as auditor, treasurer and secretary of state, are restricted as to powers and duties and no duty may be imposed on them by law which is not related to their duties as prescribed in the constitution. This is designed to prevent the enhancement of these offices in the future by the legislature and at the expense of the governor's position in administrative management. In addition a broad responsibility for the assignment of agencies within the constitutional and statutory departments was vested in the governor.

New Jersey Proposals

A more sweeping proposal for executive control over administrative reorganization was made in the proposed revised constitution of New Jersey (1944). While this constitution was not adopted, it is worthy of note as a constructive suggestion for a technique of reorganization. The major proposals were as follows:

1. Principal departments were to be limited to twenty in number to be created by the governor by executive order;

2. State executive and administrative offices, departments and instrumentalities were to be allocated among the principal departments by executive order;

3. Such executive orders were to be transmitted to the legislature and to undergo a 28-day waiting period. They would take effect either upon approval by the legislature or after 28 days if the legislature failed to act. The legislature could disapprove within the specified time limit.

4. The principal departments were

to be under the supervision and control of the governor. Each department was to be headed by a single executive unless otherwise provided by law, such single executives to be nominated and appointed by the governor with the advice and consent of the state senate. They were to hold office until a new governor was elected and their successors appointed and qualified, but they could be removed as provided by law.

5. The governor was to select the state officers to serve at his pleasure as the members of his cabinet.

State administrative reorganization is a matter of primary concern to the governor. The New Jersey plan, although never adopted, properly provided that the whole problem of administrative reorganization be left as a continuing function of the governor's office to be resolved by executive order subject to review by the legislature. In the future, states considering basic administrative reorganization should analyze carefully the techniques proposed in the revised constitution which the voters of New Jersey rejected in 1944. Sound principles in public administration are sometimes rejected by the people because they are novel or untried at the state level. It will be of interest to see if any other state resorts to the broad principles of the New Jersey plan and places them in actual operation.

Need for Leadership

Progress in state administrative reorganization can come about only through executive and/or legislative leadership sustained by widespread citizen endeavor and interest. If we are to have a further advance in reorganization after World War II, comparable to or exceeding the gains scored after World War I, it will be achieved fundamentally by citizen interest which makes clear and unmistakable the public demand for sound and progressive state administrations.

Only by their own efforts to improve state legislative and administrative processes can the states arrest the march to federal centralization. The movement for state administrative reorganization is by no means complete and still encounters resistance. Yet each year surveys and reports by citizens and experts lead generally in the direction of integration of administration under the governors.

An Effective Chief Executive

Minnesota's first "manager" tells how state department of administration relieves governor of time-consuming detail.

By LESLIE M. GRAVLIN*

NOT many years ago the governorship of Connecticut was regarded as a part-time job. The state's chief executive could comfortably dispose of his work within the few hours he spent daily in his office at the capitol. His annual salary was a pittance, no doubt because it was thought he earned no more.

Connecticut had not yet entered the struggle to get itself out of the mud nor had it embraced far-reaching programs of health and social welfare. It carried on with a small budget and few taxes. State employment then was small.

Able leaders in business were active in the guidance of the various departments where they served on part-time boards, and the state's operations were not so complex that close managerial direction from the top was an imperative. We could say the same thing about many other states in that era before the states began to assume a place of greater importance in the governmental scene. In a lesser degree much the same condition applied to our cities.

But it remained for the cities to blaze a trail which is not sufficiently appreciated in this country. Daring to strike out in new directions they first brought into being the commission form of government, trying to establish in government the principle of a small policy-determining body comparable to the board of directors so common in the world of business. When it became apparent that in too many instances this produced a headless organization they ventured to adapt the system to a council-manager plan in which the basic principle of separated powers is observed but in which there is an executive trained in public administration. They found the answer to making the executive more effective.

The idea of a manager, which finds growing acceptance in our cities, towns and counties, cannot, and I do not say that it should, be reproduced in its entirety in our systems of state or federal government. Yet it is significant that at least one state has borrowed liberally from it and there has been more and more talk about management at the federal level. Recently Congressman Monroney proposed the election of two vice presidents, one of them to be in effect a federal business manager. The congressman's proposal would, of course, require a constitutional amendment. In Minnesota the change was possible without altering the constitution.

Minnesota's now proven experiment, and the kind of thinking propounded by one of the leaders in congressional reform, may indicate a new trend in our concept of the ex-

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ecutive, not alone in state government but in national as well. Perhaps we are now ready to recognize the tremendous burden which we place on our governors and presidents. But these remarks will be confined to observations drawn from my experience as an administrator serving a governor.

Let us assume that we are thinking about an elected chief executive —a governor chosen by the people. That is the pattern set by our state constitutions and there is no reason to believe that the people would consider giving up their choice of the state's chief executive to have an appointive manager. So long as there are important issues on which the desires of voters may be in conflict we can expect the people to want to elect their governor. At the local level, where the cleavages of public opinion on basic issues are absent, we have a different picture. Therefore, a mayor limited to political leadership and a manager to direct administration are wholly in keeping with recognized democratic principles.

Consider a governor, however, who has to campaign for office, see thousands of people who feel they must talk to him, consult with party leaders and workers, guide legislative programs to which he or his party are pledged, serve on a pardon board, pass on extradition matters, make innumerable speeches, greet distinguished visitors, and always be planning for the next election. Somehow, in between that trip to the far off corner of the state to address the crowd at the county fair and the next day's conference with the delegation that wants its teachers' college made into a branch of the state university, he must, in the absence of some device to meet the situation, attend to that question about making the welfare appropriation do to the end of the year.

Executive Powers Limited

Also consider the limitations of executive power that prevail so widely under our state constitutions. We must recognize the fact that a governor's authority may be seriously modified by the executive power shared by elected auditors, secretaries of state and attorneys general, who may even be of an opposing political persuasion. How can a goveror faced with such restrictions, if not actual obstacles, not to mention a sprawling mass of boards and commissions largely appointed by predecessors, effectively direct the administration of state affairs?

The series of state governmental reorganizations that followed the first world war were predicated on the assumption that the governor himself could fulfill the function of administrator if the host of boards, commissions and independent agencies could be regrouped into a few major departments whose heads would in effect be a governor's cabinet.

Undoubtedly great good has come from the consolidation of state agencies. The reduced span of executive control is in itself a gain. But in too many instances the expected results did not follow.

Such a reshuffling still leaves a managerial responsibility which few if any governors can effectively discharge. Minnesota's success with its department of administration, even

under an organizational plan which did not proceed as far as it might have in the direction of consolidation, confirms this belief.

As a leader in legislation and the head of the state government who must be in constant touch with the public, the executive must be freed from all but the most important problems of state management. The Minnesota plan has met this requirement. At the governor's right hand is the commissioner of administration, who has come to be more commonly known as the state business manager. He is the governor's alter ego in matters of administration.

Governor Lays Down Policy

Only management problems which clearly must be settled by the governor—generally matters of a policy type—take up the time of the governor. As an illustration let us take the budget. Under Minnesota's law there is definitely an executive budget. But the time-consuming task imposed on some governors who are required to sit patiently through long hearings in preparing the budget is eliminated. The governor merely lays down the over-all policies and the commissioner of administration with his staff conduct the budget conferences, after which the completed budget is submitted to the governor for final consideration. It then goes to the legislature together with the governor's budget message.

In a similar way the governor establishes the policy to be used in cutting back allotments when falling revenues make it necessary to take such action. In the first two years under the system spending of appropriations had to be curbed. Aside from a few basic decisions such as the amount to be saved, and exceptions to be made such as state school aids, the details were left to the discretion of the commissioner. The governor was periodically informed of the financial condition of the state through quarterly reports from the commissioner's office and occasionally by special memoranda.

Both of these provisions as to budgeting were, of course, prescribed by law.

Obviously, no law can prevent department heads from going to the governor with their worries but in my own experience there was exceedingly little of that. In this connection it might be pointed out that an important instrument in promoting direct relations between the commissioner and the various departments was the cabinet meeting which was held at frequent intervals. At such conferences, presided over by Governor Stassen, the policies to be carried out through the commissioner of administration were clearly outlined for department heads. Thus the governor relieved himself of many individual meetings with the administrators of the operating agencies.

But the real advantage of such a reorganization lies in the constant attention that the commissioner of administration can give to operating problems. The governor, whose calendar of appointments is always filled, leaving no idle hours to extract from talk and tables the facts that are essential to wise administrative decisions, is not equipped to do such a job well.

If the executive must rely on several officials to provide data on any

given question of administration, he must sift out the facts and piece them together himself. But if he can turn to one official, who is clothed with adequate authority and provided with a qualified staff, to keep him informed, his effectiveness is increased immeasurably. Minnesota's unsuccessful reorganization plan of 1925 failed to heed this fact, and the commission of administration and finance then created soon exhibited the weaknesses of board control. By and large it added little to the effectiveness of the chief executive.

Coordination under Manager

Like so many administrative boards it quickly apportioned spheres of influence so that the business of the purchasing commissioner, for instance, became none of the business of the budget commissioner. The reorganization act of 1939, in which the department of administration with a single head was created, brought an end to this lack of coordination. The commissioner of administration, appointed for a term coinciding with that of the governor, was vested with most of the powers previously entrusted to the "Big Three." Ex-officio he was budget director and purchasing agent.

The importance of this linking of related functions under one man definitely answerable to the governor cannot be overestimated in evaluating it as a device for increasing the effectiveness of the executive. Great importance attaches also to the power of the commissioner of administration over salary schedules and salary adjustments granted to employees of the civil service. Here we have a practical example of how a governor can assume his expected responsibility for expenditures because he knows that all the elements affecting those expenditures can be managed at one point.

It may be demonstrated by example just how purchasing was made to play its part in wiping out Minnesota's inherited deficits of 1939. Knowing that we had to get out of the red and also prevent any current deficits we overlooked no opportunities to achieve success. A competent purchasing agent was no small factor.

An illustration is the saving made in the purchase of liquor and beer tax stamps. Prior to 1939 they had been bought from one company and without open competitive bidding. The state had been paying $110,000 per year for the stamps. Open competitive bidding reduced the contract to about $17,000.

We were, of course, in a buyers' market which increased the possible savings, but the development of specifications contributed very definitely to reduced expenditures for supplies, materials and equipment. While establishing good standards for foods and other items for state institutions we at the same time cut expenditures for such purposes about 10 per cent the first year. This accomplishment was not alone the result of coordinated efforts of the commissioner of administration and his subordinate, the purchasing agent. It also meant close cooperation with the director of institutions.

The governor was not left in the position of uttering pious hopes about preventing deficits and then leaving it to chance that several agencies would achieve such a result. His pol-

icies were effectively executed by a centralized authority employing simple managerial procedures. And certainly no executive can be effective who cannot produce the fiscal results expected of him by the public.

Moreover the lessons distilled out of the continuing experience of such an executive agency as a department of administration lay the foundation for the success of future governors.

Varied Tasks of Manager

The aspects of state management are so varied that one can do no more than sketch them briefly here. Minnesota's consisted of much more than preparing budgets and allotting funds and controlling their expenditure. To cite a few, there was the work with the highway department and the attorney general's office to establish sound and abuse-proof policies in the rental of equipment, our assistance in developing a practical annual-wage plan for certain classes of highway labor, and setting up property inventories and transferring unused equipment from one agency to another. The department also organized central agencies for the distribution of office supplies and the maintenance of typewriters. All but a few agencies with special problems were required to use a central duplicating division.

The tasks of management in state government are beset on the one hand by the diffusion of authority among the numerous departments, boards, bureaus and commissions and, on the other, by the acute sense of independence that many of them develop from having their own funds. The lush spending of one well heeled department and the starvation diet of another depending on the generosity of a legislature for its support impose a difficult task on an official responsible for the budgetary control of both. Yet it was found possible to enforce somewhat similar standards of operation on both, using the authority of the comprehensive budget control law. Stimulation of careful programming was sought.

Experience no doubt will disclose refinements that will be necessary in the organization and scope of the Minnesota plan. It is unfortunate that the original act did not coordinate the state's accounting with its budgeting by putting the two functions together in the department of administration. But as a tool for making the chief executive more effective it has solidly established itself.

Modernizing the Legislature

State law-making bodies still in dark ages; have failed to equip themselves to deal with complex issues of today.

By JOSEPH P. HARRIS*

THERE is a widespread movement under way for the reform and strengthening of our state legislatures. Because of the publicity which the Congressional Reorganization Act has received, and particularly because of the precedent which it establishes of higher salaries for legislators, it may be anticipated that many of the legislatures meeting this year will set up special committees or commissions to study and report on needed legislative reforms.

New York and Massachusetts have led the way with special commissions on the state legislature which have recently published reports, and the Council of State Governments has recently published a report of its Committee on Legislative Processes and Procedures which made twelve recommendations.

Our state legislatures have not kept pace with the times. Since 1930 state budgets have increased at a faster rate than the civil budget of the federal government, while far-reaching programs of public welfare, social security, health, housing, education, public works, conservation, highways and youth authorities have been added to the list of state functions or have been greatly expanded. Never before have the states played so important a role in the life of its citizens as today. State government has become big business.

State legislatures, however, still operate very much as they did many years ago when the problems of state government were relatively simple. They have not equipped themselves to deal with the complex economic and social issues which are now thrust upon them. A few states, it must be noted, have established legislative councils which are adequately staffed to assist the legislature by conducting preliminary investigations and giving consideration to proposed legislative measures prior to its sessions.

In contrast to the lack of development of the legislatures, the executive branch of state government has made notable improvements, though further advances are still needed. Almost all the states have adopted executive budgets and in nearly half—including the more populous ones—state civil service systems have been established. The role of the governor has uniformly been strengthened, and there has been a considerable amount of executive reorganization. In a number of states the finance department under the governor has devel-

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oped into a strong managerial agency, and in a few effective state planning agencies exist.

The need for strengthening state legislatures today is widely recognized. Vigorous, vital, effective legislative bodies are essential to democratic government, to efficiency and economy of administration, and to the enactment of legislation on social, economic, financial and other problems facing the states.

Need for Reform

The problem of legislative reform today is quite different from that of 70 years ago when Lord Bryce said: "The real blemishes in the system of state government are all to be found in the composition and conduct of state legislatures." The cruder forms of political spoils, boss domination, venality and subservience to railroads or other large corporations which Bryce observed have happily largely disappeared. The need for legislative reform at present is due to: (1) the increased responsibilities thrust upon the legislature by the expanded functions of state government; (2) the greater complexity of the problems with which the legislature has to deal; (3) the greater need for leadership and a positive legislative program; and (4) the growth of the budget, taxation and administration.

In some ways the Congressional Reorganization Act points the way for the strengthening and improvement of state legislatures, but it should be recognized that the legislatures operate differently from Congress; their problems and weaknesses are by no means the same. Slavish copying of the federal act will do little to improve state legislatures—it may be doubted whether much real improvement will be accomplished in the operation of Congress itself.

The feature of the federal law which commended itself to the members of Congress, and doubtless also to state legislators, is the increase in salaries of congressmen. In practically all state legislatures at present members must make a substantial financial sacrifice in order to serve. Furthermore, their individual losses by reason of membership in the legislature has undoubtedly increased materially during the last ten years. The cost of living at the state capitals has grown and the length of sessions and the number of special sessions have notably increased. Members also stand to lose a greater amount of their private income because of absence from business or profession.

For these reasons substantial increases in the salaries of state legislators are needed. At the same time such increases should not be sufficient to make the position attractive because of the salary or to approximate full-time earnings. In contrast with membership in Congress the position of state legislator should never become virtually full time. One of the strengths of state legislatures is the fact that persons from all walks of life, who are successful and active citizens in their home communities, may serve. If membership became full time many of the ablest members would be forced to drop out and the level of membership would be lowered immeasurably.

The provision of pensions for congressmen is a "reform" which state legislatures would do well to avoid.

The payment of pensions to elective, political, part-time officials is highly debatable as a public policy, and would do more harm than good to the membership of state legislatures.

Revise Committee System

A feature of the Congressional Reorganization Act which should be emulated by the states is reform of the committee system. The state legislatures, like Congress formerly, are afflicted by an unwieldly committee system based on the number of committee chairmanships desired rather than the number of committees required for the orderly consideration of legislation. If Congress can get along with fifteen committees in the Senate, and nineteen in the House, it would appear that the state legislatures might do with even less. One of the changes needed in the committee system of state legislatures is establishment of identical committees in both houses, thus facilitating joint hearings and action on pending legislation. The Massachusetts legislature has used a joint committee system for many years with excellent results, but for various reasons the idea has not spread to other states generally.

One of the most desirable features of the federal law is provision for a more adequate congressional staff. Each standing committee is provided with four professional staff members, except that the appropriation committees, with their numerous subcommittees, are authorized to have whatever staff members their work requires. The staffs of the legislative councils of the Senate and the House, and of the Legislative Reference Service of the Library of Congress, have also been considerably increased.

Staffs of state legislatures should also be increased so that the legislature may have the assistance it requires and be able to consider issues in the light of all available data, collected and summarized in a form suitable to the requirements of the busy legislator. Although the movement for state legislative reference services started nearly 50 years ago, in most states this service has languished because of inadequate appropriations and staff.

It is to be hoped that the states, in making provision for increased staffs, will follow the recommendations of the LaFollette-Monroney Joint Committee rather than the provisions of the federal act as it was finally passed and provide that the legislative staff shall come under a merit system. A patronage-appointed legislative staff, regardless of its size, will not have the necessary qualifications to serve the legislature as a research and staff agency. The need of the state legislatures for a well trained, highly qualified staff to assist it in securing the data necessary for decisions is even greater than that of Congress, which can rely to a larger extent on departments and bureaus for technical assistance.

Something more is needed, however, than merely to provide for an enlarged staff; the legislature must be organized so as to utilize effectively the services of such a staff not only during its sessions but, more importantly, between sessions. This need has been met successfully in a number of states by the establishment of a legislative council which does its work primarily between ses-

sions of the legislature. The staff of the legislative council is able not only to conduct research studies on legislative problems but also to tap available sources of information and expert outside advice. Few states have made any real attempt to utilize the services of its own employees in state departments and particularly in institutions of higher learning. Here is a rich source of highly trained, professional personnel which might be utilized to a much larger extent in the preparation of factual studies for legislative committee guidance.

The Congressional Reorganization Act contains several provisions designed to free Congress of the consideration of petty details and relatively unimportant legislation. Tort claims against the government have at long last been delegated to the departments and to the courts instead of being handled by private bills in Congress. This should result in a considerable saving of time.

State committees or commissions considering ways and means for the improvement of state legislatures should give careful attention to the steps which may be taken to save the legislature from the need to consider petty measures of little importance in the policies of the state. Only by getting rid of petty legislation will the legislatures have time for adequate consideration of important issues. Home rule for cities, if really carried into effect, will free the legislatures of many bills which belong more properly to local legislative bodies. Legislatures need to give more powers to executive departments to adopt rules and regulations and to fill in the details of administration after the legislature has laid down general policy.

Publicity for Lobbies

The Congressional Reorganization Act requires paid lobbyists to register and to file an account of their expenses and salaries. The law will have little effect in the regulation of lobbying, however, since it does not apply to corporations, labor unions, trade associations or farm and other similar organizations which today carry on the most extensive and most powerful lobbies before Congress. Many states already have tighter lobbying laws than that of the federal government, and every state would do well to consider the ways and means whereby all forms of lobbying can be given full publicity.

Recent reports on legislative improvements contain recommendations designed to bring about improvements in procedure, including the advanced scheduling of hearings, the use of joint hearings by committees of the two houses, strict limitation on the period during which bills may be introduced, and other measures designed to reduce the jam at the close of the sessions.

Any consideration of the reorganization of state legislatures should not stop with minor reforms of procedure, organization and staff but should also give attention to more fundamental, long-range reforms. First among these would be consideration of a unicameral body to replace the bicameral legislature. The successful experience of Nebraska over a period of ten years deserves the serious study of any commission inquiring into legislative organization and operation. No longer can the proposal

for a unicameral legislature be regarded as academic. The Nebraska legislature has demonstrated that it is feasible to set up adequate checks against hasty and unwise action.

There is nothing sacrosanct about having two houses in our state legislatures. We have abandoned the bicameral system for city councils with altogether desirable results. Membership in the state legislature under a unicameral system would carry much greater prestige, honor and opportunity for outstanding public service than is afforded under the bicameral system.

Frequent Sessions

Commissions of inquiry on state legislatures should give careful consideration to the recommendation that legislative sessions should be shorter and held more frequently, say quarterly, thus avoiding the mistakes which arise from the jam of proposed legislation every biennium. More frequent sessions, with adequate preparation of legislative business prior to sessions, would lead to a more orderly and careful consideration of proposed laws.

State planning agencies are needed in all states to carry on continuous studies and research on state problems and policies to form the basis for sound, far-seeing programs and policies dealing with the resources of the state. It is unfortunate that planning agencies have frequently attracted the jealousy rather than the support of the legislatures. The problem of how to establish an effective state planning agency, divorced from partisan politics, adequately staffed to carry on needed research which will be utilized by both the legislature and the executive, still remains an unsolved problem.

Finally, paradoxically as it may appear, the greatest improvement which can be made in state legislatures is the improvement of the standards of state administration. More and more the function of legislative bodies is to pass upon measures submitted to it by administrative departments rather than to initiate legislative proposals. More and more the state legislature, like the board of directors of the large corporation, must turn to the executive staff for recommendations, advice and assistance in the formulation of future policies and programs.

The time is ripe for real legislative reform. Commissions which are set up to study the problem should have among their members some of the outstanding citizens of the state; they should not be limited to members of the legislature who are likely to confine themselves to minor reforms which do not affect adversely the vested interests of their colleagues. Thorough-going reforms are unlikely to be proposed by committees drawn exclusively from the membership of the legislature itself.

News in Review

City, State and Nation . . . . Edited by H. M. Olmsted

University City, Mo., Votes Manager Charter

New Law Supported by Committee of 1,000

ON FEBRUARY 4 University City, largest suburb of St. Louis, Missouri, approved a council-manager charter by a vote of 3,667 to 2,305 (with 40 absentee ballots still to be counted). The special election, which came on a cold and windy day, brought out 36 per cent of the registration.

The charter was drafted by a commission of thirteen members elected on April 2, 1946 (see May 1946 REVIEW, page 247). In place of the present mayor-alderman form of government it establishes a council of seven members, two from each of three wards and one elected at large, the latter to be the presiding officer and the ceremonial city chief. The council will appoint a manager. The elective offices of city marshall or police chief, city collector and city judge are abolished and will be under the administration of the manager.

Other charter features include a merit system with present employees blanketed in; the initiative, referendum and recall; centralized purchasing; and a budget system within which the department heads must operate or be subject to fine and forfeiture of their jobs.

Three present ward aldermen will hold over in the new council; on April 1 three others will be elected, for four-year terms, and likewise the at-large member (council president). Elections thereafter will be biennial. The council will appoint a city clerk who will serve as interim manager until the council chooses a permanent one—the clerk not to be a candidate.

A citizens' committee of nearly 1000 members was active in support of the charter, which was also favored by Mayor Matt C. Fogerty.

Council-Manager Plan Developments

Grafton, West Virginia, adopted a council-manager charter on January 21 by a vote of 1,405 to 154. Because wintry weather prevailed the vote was only 30 per cent of the registration, but was overwhelmingly for the proposal. The charter board expects to observe the working of the new charter closely and to propose amendments if any defects develop.

Wayne, Michigan, by a vote of 213 to 78 on January 27, adopted a council-manager charter. The present city director has been appointed manager.

The manager plan was adopted in **Colonial Beach, Virginia,** by an ordinance passed on January 3.

Avalon, Catalina Island, California, has the manager plan by virtue of an ordinance passed on January 16.

The city council of **Midland, Texas,** on January 15 created the office of city manager by ordinance. Efforts to obtain a charter amendment to this effect were opposed by the council.

Acting under state law the **Brewton, Alabama,** city council adopted the manager plan January 14. The Planning Commission was directed to seek a manager.

An act of the **Georgia** legislature gives the manager plan to **Fulton County**—see page 169.

Petitions for the manager plan have been circulated in **Manchester, New Hampshire,** by the Taxpayers Association.

Sylvan Lake, Michigan, voted for a manager charter on February 26. New councilmen were elected at the same time to take office immediately.

The **Massachusetts** legislature on January 29 adopted a bill introduced by House Speaker Frederick B. Willis, authorizing his home community, the town of **Saugus,** to vote on the question of adopting the Plan E (manager-P. R.) form of government. Governor Bradford signed the bill on January 30, thus making it possible for the plan to be voted on at the Saugus town meeting in February. Under the act a five-man board of selectmen, elected by proportional representation, would appoint a town manager.

A campaign is in progress in **Somerville, Massachusetts,** to obtain a popular vote on Plan E in November.

The League of Women Voters of **Newton, Massachusetts,** is studying the manager plan as a possible improvement on the existing mayor-council plan in that city.

The annual town meeting in **Amherst, Massachusetts,** on March 3 will consider a recent study of the town manager plan; a committee may be appointed to report on the practicability of such a plan for Amherst.

The council-manager charter approved by the voters of **Hartford, Connecticut,** on December 3 has been submitted to the state senate and assembly, having been set up in bill form by the office of Hartford's corporation counsel. Mayor Allen and Corporation Counsel Aron have agreed that no amendments will be made at this time.

After several sessions of the representative town meeting of **Milford, Connecticut,** where a proposed town manager charter was discussed, the plan was approved on February 10 by a vote of 36 to 18 and it was decided to hold a public referendum on April 3. If the manager charter is approved by the people it will be presented to the state legislature in substitution for a previous bill embodying a manager charter and calling for a referendum in the town.

The League of Women Voters of **Wallingford, Connecticut,** has urged adoption of the council-manager plan by the committee that is studying possible consolidation of town and borough under a new charter.

The city council of **New Castle, Delaware,** at the suggestion of Mayor Klingmeyer, voted on February 4 to call a referendum on the question of adopting a council-manager charter.

A bill providing for an early election on the council-manager plan for **Fayetteville, North Carolina,** has been prepared by a committee for introduction in the state legislature after approval as to form by the attorney general. The present board of aldermen would be replaced by a council of five who would be empowered to engage a city manager. The Public Works Commission, however, would remain as at present and be independent of the manager. The latter's appointment and removal of other city officials would be subject to the advice and approval of the city council.

A petition for a referendum on the council-manager plan has been circulated in **Danville, North Carolina.**

The **North Carolina** legislature has passed an act authorizing a vote in **Raleigh** on adoption of the council-manager plan. It is backed by a local city manager committee and calls for a referendum March 18. The proposed plan includes a council of seven which would appoint the manager and also the city auditor, city attorney, prosecuting attorney and his assistant, a local judge and the court clerk.

A council-manager election in **New**

Bern, North Carolina, is provided for in a bill that has passed the lower house of the state legislature.

The state legislature is requested by the authorities of **Hapeville, Georgia,** to authorize the mayor and the existing five-man council to employ a manager for a term coincident with that of the mayor.

A council-manager charter has been drawn up at the direction of the city council of **Rossville, Georgia,** and a referendum is contemplated at which the manager plan and expansion of the city to take in certain adjacent territory would be voted on.

The **Georgia** House of Representatives has unanimously approved a bill authorizing a referendum in **Augusta** on a council-manager charter which provides for a council of seven chosen from wards but elected at large.

A movement is under way in **Steubenville, Ohio,** to place a council-manager proposal on the ballot at the May primary. Radio station WSTV is giving publicity to the plan.

A citizens' committee in **Ann Arbor, Michigan,** of which Council President Creal is a member, is looking into the advisability of nonpartisan elections and the council-manager plan for that city.

A referendum on the manager plan will be held this spring in **Waukesha, Wisconsin.** The Junior Chamber of Commerce has undertaken an educational campaign.

Faribault, Minnesota, will vote on a council-manager proposal on April 1. The Junior Chamber of Commerce is actively supporting the plan.

The city charter commission of **Bemidji, Minnesota,** is studying the National Municipal League's *Model City Charter* (council-manager).

The Trades and Labor Assembly of **Two Harbors, Minnesota,** has endorsed the council-manager plan for that city and includes it in its municipal platform.

The manager plan is advocated in **Mankato, Minnesota,** by John C. Zotalis, a candidate for mayor at the coming election.

Colby, Kansas, will vote on the manager plan at a special election on March 11. If adopted the plan will go into effect April 1 with the election of three members of the city commission or council.

The Gyro Club of **Wallace, Idaho,** has adopted a resolution asking appointment of a committee to investigate with other service clubs the feasibility of the manager plan for that city. No criticism of the present administration was expressed.

The Veterans Better Government Committee of **Durant, Oklahoma,** is instituting a campaign for the manager plan.

Harlingen, Texas, is planning to employ a city manager; the city commission is authorized by charter to do so but has not heretofore taken such action.

In **Perryton, Texas,** a council-manager proposal was voted down on December 3, the vote being 471 to 216. The plan was actively advocated by the Junior Chamber of Commerce. It was opposed by Mayor George Leatherman and others, with emphasis on salary for a manager. Perryton also defeated a manager proposal in 1939.

Robstown, Texas, is contemplating a change from an aldermanic to a council-manager plan of government. It now has a city superintendent on a contract basis.

Gainesville, Texas, voted on November 29, 1946, to return to the aldermanic form from the manager plan adopted in 1927. The vote to change back was 666 to 543. The election has been challenged as illegal.

Michigan leads the 42 states in

which there are manager cities as to the aggregate number of years during which the manager plan has been in effect in the various municipalities up to the end of 1946. Its 62 manager cities give a total of 1,223 years. The states with the next largest aggregates of years are Virginia, Texas, Florida and California. Maine has the largest number of manager cities and towns—80, but having started later does not show as large a total in years.

Woman Manager for San Juan, Puerto Rico

The board of commissioners of San Juan, capital of Puerto Rico, has appointed Mrs. Felisa Rincon de Gauthier to succeed Roberto Sanchez Vilella as city manager. For many years Mrs. de Gauthier has been prominent in the city's civic and business affairs. She is the first woman manager in a city the size of San Juan—about 300,000—in United States territory.

Tennessee Legislature Scuttles Knoxville Manager Plan

Without benefit of a local referendum the Tennessee legislature and Governor Jim McCord have destroyed Knoxville's council-manager plan, adopted in 1923 and long subject to attack by local politicians. On February 6 the Governor signed a bill which transfers the administrative powers and duties of the council-appointed manager to an elected mayor; the council is reduced from eleven members, elected partly by districts, to a body of seven, elected at large, and is no longer responsible for seeing that the city gets efficient administration by a qualified non-political manager.

According to a special dispatch to the *Memphis Press-Scimitar* the bill to abolish the council-manager plan had the support of former Mayor Cas Walker who, with two former councilmen, was recalled by the people last fall after they succeeded in getting Manager Paul Morton dismissed. Walker obtained some 3,000 petition signers through his local chain grocery stores supporting the legislation. The bill was put through the legislature by George Nelson, insurance man, politician and chairman of the Knox County legislative delegation. Allied with him were Lester Denton, beer distributor and state Democratic committeeman, and Charles Brown, member of the County Election Commission, which delayed last year's recall election until ordered by the State Supreme Court to call it. Robert L. Morrison, present city manager, is reported to have failed to fire the city back tax attorney as was desired by Democratic politicians.

The legislature eight years ago destroyed the Knoxville manager plan temporarily by making the mayor also the manager, but supporters of the manager plan elected a mayor pledged to work for the plan's restoration, which was accomplished with aid of a friendly legislative delegation. Now the Good Government Group, the League of Women Voters and others who opposed the anti-manager bill have the job to do over again.

The *Knoxville Journal* applauds the change, its news columns showing strong prejudice against the manager plan. The *News-Sentinel*, however, reports the results of a poll as indicating overwhelming opposition to the legislature's action.

Stamford, Conn., Would Merge City and Town

The city administration of Stamford, Connecticut, is sponsoring proposed legislation for consolidation of the city and the town (township) of that name—a movement that began in 1905.

The measure is similar to a proposed charter introduced in the legislature in 1945 which died in committee; it has been revised somewhat to bring it up to date, according to Mayor Charles E. Moore. The previous bill was prepared by a consolidation commission with representatives of the city and of the town.

Charter Suggestions for Los Angeles

Mayor Fletcher Bowron of Los Angeles, California, and city department heads have had under consideration several proposals for amendment of that city's charter. They include: election of the city's fifteen councilmen at large instead of by districts; creation of a department of airports, with control over its own funds; consolidation of the park and playground and recreation departments; authorizing the water and power department to furnish electricity to the city at special rates; making the city's entire bonding capacity available for general purposes; and reduction of the city's eight salary-fixing bodies to one three-member body.

New Toledo Port Commission Established

The port of Toledo, Ohio, including parts of Lake Erie, Maumee Bay, the Maumee River and tributaries, is now under regulatory control of the Toledo Port Commission, established last year as successor to the Port and Harbor Commission. The new body comprises four members appointed by the mayor of Toledo, four by the county commissioners of Lucas County, and a ninth member chosen by the others. A 1947 budget for the new commission was authorized by the Toledo city council in January.

Legislative Activity OK'd for Michigan Municipal League

A year-old circuit court injunction barring the Michigan Municipal League from all legislative activity was wiped out by a decision of the Michigan Supreme Court on January 3. The court also confirmed the right of cities to pay annual membership fees to the league.

St. Paul Teachers Lose Referendum

The referendum on a charter amendment to permit expenditures of $42 per capita for education, instead of $30 as at present, failed of adoption on February 11. Requiring 60 per cent of the total vote, it obtained about 53 per cent—34,490 to 30,695. Authorization of the referendum had brought a suspension of the one-month strike of St. Paul school teachers for salaries higher than could be granted under charter restrictions.[1] None of the city's twelve wards gave a 60 per cent favorable vote; according to press reports the conservative wards gave the proposal better support than the labor wards.

New Jersey Provides for Constitutional Convention

Legislation has been adopted in New Jersey furthering the plan of Governor Alfred E. Driscoll to modernize the state constitution this year. An act signed by the Governor on February 17 calls for a referendum on the matter and selection of 81 constitutional convention delegates at the state primary election on June 3. If the vote is favorable, delegates would begin deliberations June 12 and finish their work within three months. The question authorizing the convention

[1]See the REVIEW, February 1947, page 92.

forbids it to change the present disproportionate basis of county representation in the legislature.

The convention could draft a complete new document, redraft parts of the present constitution, or submit alternative proposals for adoption by the voters at the November election. Governor Driscoll has suggested that the major party organizations unite in selecting outstanding men and women as delegate candidates.

Bill Provides Unicameral Legislature for Texas

A House joint resolution was introduced into the Texas legislature on February 3 providing for a one-house legislature of 62 members with four-year overlapping terms, two members from each of the present senatorial districts, and salaries of $3,000. The resolution provides that the body may be in continuous session if it so desires or may be called into session by the governor. The proposal, which makes provision for redistricting the state, would become effective in 1951. Reports from Texas indicate there is little chance of the legislation being passed at this session.

Illinois Legislative Districts Attacked in Federal Courts

Despite contrary decisions based on precedent, there are strong indications of new interpretations of judicial power and duty in complaints involving legislative districting. On January 28 in Chicago a three-judge federal district court reluctantly dismissed a suit attacking the discriminatory legislative districts of Illinois.

Kenneth W. Colegrove of Northwestern University, Peter J. Chamales, attorney, and Jerome G. Kerwin of the University of Chicago, citing their rights under the federal constitution, sought a declaratory judgment and appropriate relief in an action against Edward J. Barrett and others as members of the State Primary Certifying Board. Urban A. Lavery, expert in election law, served as attorney.

Two of the plaintiffs were parties in the well known action in 1946[1] against inequitable congressional districts in Illinois, decided adversely by the United States Supreme Court in a close vote on appeal. In that case Mr. Justice Frankfurter, joined by two other justices, held the issue political and beyond the jurisdiction of the court. Mr. Justice Black, in a notable dissent in which two other justices concurred, contended that relief ought to be granted in equity because equal protection of the laws had been denied and the privileges of citizens abridged. A majority of the court did not agree in opinion, and the decision was obtained only by concurrence of Mr. Justice Rutledge in the result.

The trend toward judicial recognition of appropriate federal action in districting cases is emphasized by the strongly-worded memorandum of the judges sitting in Chicago in the more recent case. But for the decisions of the United States Supreme Court, they declare, "we would have thought the law to be as stated by Mr. Justice Black in his dissenting opinion" last fall. "It appears, however, that the action of the Supreme Court. . . requires a dismissal of the complaint before us for want of equity." An appeal will be made to the Supreme Court, where the presence of the new Chief Justice and the return of Mr. Justice Jackson will afford an opportunity for another test of controlling law.

Plaintiffs in the present case point

[1]See the REVIEW, March 1946, page 129; also July 1946, page 359.

out that the Illinois General Assembly has not redistricted for election of state legislators since 1901. From each of the 51 districts one senator and three members of the lower house are elected. The largest district had a population in 1940 of 574,791 and the smallest, 35,534. Electoral weight of a voter in the latter is equal to that of 16.4 voters in the former. The proper ratio of representation for a district is 154,848. The present ratio of representation in Cook County districts is 213,860, but in the rest of the state the ratio is 119,809. While Cook County has 51.4 per cent of the population of the state, it has only nineteen legislative districts as against 32 for the rest of the state.

FRANKLIN L. BURDETTE
University of Maryland

Illinois Congressmen Urge Redistricting Plan

Congressional districts in Illinois, unrevised since 1901, would be changed by a plan approved on February 7 by the Illinois congressional delegation; it must be submitted to the Illinois legislature for adoption. The plan seeks to cure the grossly disproportionate representation of that state's districts, said to be the most unequal of any in the United States. Cook County, containing Chicago, has over half the population of the state but only ten out of 25 congressional districts.[1] The new plan would give the Chicago area three additional representatives by eliminating two down-state and the one representative at large.

Reapportionment Proposed in Connecticut

An attempt to change the basis of representation in the Connecticut House of Representatives has been made in a proposed constitutional amendment introduced by former Speaker E. Lea Marsh, Jr. The present basis gives at least one representative from each town (township) and not more than two for any town or city. Towns of more than 5,000 population are entitled to two representatives, but several smaller towns also have two. Thus the town of Union with 234 population has two members, the same as the city of Hartford with 166,000 population. The Marsh bill, however, would merely substitute a basis of one representative for each town or city; it would reduce the size of the house from 272 to 169.

Another proposed amendment would provide means for reapportioning the state senate, even if the legislature fails to do so at a session next after completion of a U. S. census. Senatorial districts, supposed to be approximately equal in population, now range from 20,700 to 94,500 population.

Potomac Basin Commission Attacks Interstate Problems

The Interstate Commission on the Potomac River Basin, composed of representatives of the states of Virginia, West Virginia, Maryland and Pennsylvania, the District of Columbia and the federal government, under a compact for mutual development of the river and basin, is presently devoting most of its attention to the problem of purifying the river, which is intensified by the dumping of much raw sewage.

After pollution has been sufficiently eliminated the commission is expected to devote more study to such other important river problems as erosion, navigation, power utilization, recreation and scenic developments, as subjects for interstate planning and joint action.

[1] See the REVIEW, March 1946, page 129.

Researcher's Digest . . . . *Edited by John E. Bebout*

Reports for 1947 Policy Makers

Transit, Traffic and Highways Get Attention

GOVERNMENTAL researchers are supplying 1947 policy-makers at state capitols and city halls with more and bigger reports than they have been for some time. The topics are as varied as the functions of government, with special emphasis on such postwar problems as traffic, housing, and how to meet rising costs without ruining the taxpayer.

New York City's big transit headache is the subject of a report by the **Citizens' Budget Commission,** Henry J. Amy, executive director. *The New York City Transit System and the Necessity for an Increased Fare* concludes that, "Only with a ten-cent fare, and no less, can subway riders hope for new cars, enlarged stations, modern ventilation, proper sanitary conditions and generally improved and expedited service."

The Citizens' Budget Commission has also reported on the New York City airport problem. After an analysis of alternative proposals of the Port of New York Authority and the New York Airport Authority, the commission concludes that no decision should be made until there has been a further review of the whole problem by independent experts.[1]

The **Newark Bureau of Municipal Research,** Henry W. Connor, director, has issued a brief analysis of the pros and cons of the *New York Port Authority Proposal to Lease Port Newark and Newark Airport.*

"Financing Street Railway Rehabilitation Again a Problem," declares a bulletin of the **San Francisco Bureau of Governmental Research,** Alfred F. Smith, director. The bureau concludes that the resumption of the prewar decline in street railway passenger traffic means that the recent increase to an 8 1/3-cent fare will not meet the needs of the system.

Municipal Provision of Parking Facilities—State Laws and City Projects, by James C. Yocum and Joan P. Whipple, has been issued by the **Bureau of Business Research, Ohio State University,** 117 pages, $1.25. T he book is a comprehensive analysis of state enabling legislation and includes an outline of possible elements of a comprehensive enabling law and an analysis of municipally sponsored parking facilities in a number of sample cities.

A 68-page *Parking Study of the Pittsburgh Central Business District* has been prepared by the **Pittsburgh Regional Planning Association,** Wallace Richards, executive officer, for the **Allegheny Conference on Community Development,** Park H. Martin, executive director. The study "reveals the absolute necessity for the adoption of drastic corrective and protective measures. . . to deal with traffic before it drowns the commercial and economic life of the community." The general solution is found to be "a series of reservoirs" in the form of "a planned system of off-street parking facilities." A municipal parking authority to develop this system is suggested.

"Support the Traffic Program!" urges the **Bureau of Governmental Research of the Indianapolis Chamber of Commerce,** Carl R. Dortch, director, in its bulletin, *It is Your Business!* The pro-

[1]See also page 173 this issue.

gram outlined briefly in the bulletin was prepared by a joint committee of city and state traffic engineers in the form of recommendations for immediate and future action.

Comparative costs and methods for the "Maintenance of Sheet Asphalt Streets" are discussed in a series of *Your Tax Dollar* by the **Baltimore Commission on Governmental Efficiency and Economy, Inc.**, D. Benton Biser, director. The reports find that the "heater method" is more economical and convenient than Baltimore's present costly "replacement method." One bulletin is devoted entirely to Cincinnati's methods which cost 25-65 per cent less than Baltimore's. The report points out that Cincinnati owns its own asphalt plant whereas Baltimore uses the contract system.

A consolidated statement of all receipts and disbursements for the state of Colorado for highway purposes and a critique of administrative, accounting and fiscal methods are presented in a report on the *Finances of the Colorado State Highway Program 1941-1949,* thirteen pages, one dollar, **Colorado Public Expenditure Council,** Fred Bennion, executive director. Among the specific recommendations are that members of the State Highway Advisory Board should represent the state as a whole, not districts; that annual and long term construction budgets should be prepared on a cash basis; that financial records and accounts should be kept for all state agencies by one central accounting agency; that numerous accounts should be consolidated; etc.

"Impending Highway and Bridge Improvements" in Philadelphia is the subject of a brief factual report in a recent number of *Citizens Business,* the **Philadelphia Bureau of Municipal Research,** William C. Beyer, director.

Houses and the People Who Must Live in Them

Housing in Front Royal, Virginia—Facts and Trends (93 pages) has been issued by the **American University,** Washington, D. C. This attempt to describe and analyze a local community housing market in the light of the economic forces shaping community development is a cooperative effort by students in the program of study in housing conducted by the university in conjunction with the National Housing Agency. The study, modestly described in the foreword as primarily an exercise, should nevertheless be helpful to other researchers interested in "an over-all pattern for similar studies."

The net annual cost of Newark's slums is over $14,000,000 according to the *Cost of Slums in Newark* by Jay Rumney of the **Newark Colleges of Rutgers University,** and Sara Shuman, for the **Housing Authority of the City of Newark,** 36 pages. The report, based on detailed investigation of selected areas, is equipped with tables, pictures and graphs and includes some comparative figures from other cities.

The **Greater Boston Development Committee, Inc.**, T. T. McCrosky, executive director, has issued a report entitled *Guiding the Building Boom,* a study of areas suitable for residential development. The study is a contribution to thinking concerning the location of new residential construction with special attention to sites suitable for homes for veterans. The 21-page report finds that there is no shortage of suitable land within the Boston region. It urges care in selecting the best available sites and in planning and control of construction to assure better developments than some of those following the last war. Specific suggestions are made under the heads, "What the Community Can Do,"

"What the Lending Institution Can Do," and "What the Developer Can Do."

Additional factual material in the form of tables and graphs, presented as "working papers for individuals who are analyzing problems related to the Boston metropolitan area," has been issued by the **Bureau for Research in Municipal Government, Harvard Graduate School of Public Administration,** Morris B. Lambie, director, under the title *Comparative Status of 43 Cities and Towns in the Boston Metropolitan Commission Districts.* The 69 pages analyze the population of these municipalities in terms of national origins, age groups and sex, school membership, birth and death rates, employment and party votes in elections.

A population study with special emphasis on labor force and employment in the Philadelphia area has been issued as a report to the **Philadelphia City Planning Commission** from the **Population and Economic Research Advisory Committee** under the auspices of the **Institute of Local and State Government, University of Pennsylvania,** Stephen B. Sweeney, director. The 42-page report is entitled *The Population of Philadelphia and Environs and Labor Force and Employment Estimates—A Projection for 1950.*

Recreation and Juvenile Delinquency

Standards of Recreational Facilities has been issued by the **Bureau of Governmental Research, University of Washington,** Donald H. Webster, director (loose-leaf, unpaged, numerous diagrams, bibliography). This manual, prepared at the request of the **Association of Washington Cities** to provide "a check list of certain recreational activities and standards" for better planning, is a highly practical book. It contains diagrams and specifications for grounds and equipment for scores of indoor and outdoor recreation activities.

What Seattle Organizations are Doing to Combat Juvenile Delinquency Before Court Action is the title of a research report by John C. Bollens, research director of the **Municipal League of Seattle.** The report reviews the major activities of some of "at least 167 public and private social agencies, departments of school, park and law enforcing authorities, and church denominations which aid potentially delinquent children before they reach the courts."

Special Attention State Legislatures

The *Second Biennial Report* of the **Missouri Committee on Legislative Research,** William R. Nelson, director of research, is an impressive record of achievement. The report points out that although the committee recognizes that research should be its major long-time function, it has been necessary for the last two years to concentrate on "the more urgent task of drafting bills to implement the new constitution." Some measure of this task is indicated by the fact that the staff prepared almost all the approximately 450 revision bills which became laws.

A summary of recommendations on twenty widely diversified topics is contained in *Suggestions for State of Alabama Legislation,* issued by the **Legislative Council of the State of Alabama,** Gordon Madison, chairman. Research studies, upon which a number of these recommendations are based, have been reviewed in earlier Researcher's Digests. Among the subjects not previously noted are voting machines, absentee ballots, schedule of primary and general election activities, sales tax tokens, and four reports re-

lating to traffic and motor vehicles. Bills and additional information on these subjects are obtainable from the Legislative Reference Service.

Liquor Control

State constitutional provisions and summaries of state legislation concerning alcoholic beverages are presented by the **Research Department of the Kansas Legislative Council,** F. H. Guild, director, in *State Regulation of Alcoholic Beverages.*

The Administration of Liquor Control in Virginia, by H. Wesley Ward, **Bureau of Public Administration, University of Virginia** ($1, 206 pages), is the first postwar report by the bureau designed to provide the people of Virginia and other states "with carefully drawn descriptive and analytical studies of the more significant institutions of state and local government and administration in Virginia." This is a useful study of a successful attempt to deal with what Rowland Egger, director of the bureau, describes as perhaps "the most important, most complex and most difficult problem of social regulation with which state governments have been confronted in recent decades . . . that of supervising the generally unpredictable and always dangerous aberrations of John Barleycorn." The report concludes that practically all needed improvements can be obtained at the administrative level rather than "by legislative tinkering with the fundamental structure of the control mechanism."

Tennessee Reports

The **Tennessee State Planning Commission,** Hayden B. Johnson, executive director, has issued three recent reports which in other states might have come from legislative councils. The explanation for this is to be found in the unusually broad program of research and reporting "on many subjects related to the planning of the economic, social, governmental, cultural or welfare conditions or problems of the people of the state of Tennessee."

The Gasoline Tax in Tennessee, a Review of its Present and Proposed Distribution (30 pages, tables), was prepared primarily to provide background for considering a current proposal that municipalities be given a share of the gasoline tax. The report, which begins with an excellent introduction and summary, analyzes the facts and discusses impartially alternative approaches to the problem. *Toll Bridges in Tennessee* (eight pages) presents facts which lead to the recommendation that the legislature "abolish or suspend toll collection upon all remaining toll bridges in Tennessee." *State Retirement Systems for Public Employees* (seventeen pages) summarizes the features of retirement systems in other states and for limited classes of Tennessee employees. Fiscal and other elements of a sound retirement system are considered and the costs of a contributory retirement system are estimated.

The purposes, accomplishments and plans of the Research Division of the Tennessee Planning Commission are outlined in an article on "The Research Program" by Margaret Pouder, research associate, in the *Tennessee Planner,* December 1946.

Report No. 3 of the 1947 series on legislative problems by the **University of South Carolina's Bureau of Public Administration,** Christian L. Larsen, assistant director, deals with *The Merit System in State and Local Government.* The report summarizes the status of the merit system in state and local governments generally and directs attention to the very limited use of the merit system in South Carolina.

The **Salary Stabilization Board of**

New York, Philip E. Hagerty, director of research, has submitted the results of its survey "of the salaries paid in other public jurisdictions and in private industry for services performed, comparable with those performed by New York State employees" in a 301-page *Survey Report.* The survey covered 250 private companies and agencies of all kinds, 104 large farms, four large counties and three large cities in New York State, federal salaries, and eight other states from Massachusetts to California. The report leads to recommendations for a complete revision of the salary plan established by the New York civil service law, although it finds that "in the main, gross salaries presently paid (including emergency compensation) are comparable and in proper relationship to salaries paid in private industry and in other private jurisdictions." Adjustments are necessary in order to avoid internal inequities resulting from the inflexibility of the present plan.

Legislative Procedure

"How a Bill Becomes a Law" is outlined in the January *New Mexico Tax Bulletin,* published by the **Taxpayers' Association of New Mexico,** Rupert F. Asplund, director. The same bulletin carries an article by Arie Poldervaart, state law librarian, on "Legislative Drafting in New Mexico." This article was written in the hope "that it would prove helpful in view of the abolition in 1941 of the state's bill drafting agency, the Legislative Reference Bureau."

Hallie Farmer continues her study of the legislative process in Alabama with a 25-page report on *Legislative Costs,* issued by the **Bureau of Public Administration, University of Alabama,** Roscoe C. Martin, director. Over-all conclusion: "Alabama spends too little money on her legislature and does not spend that little wisely."

Pennsylvania Needs Municipal Home Rule Now, says a memo to the 1947 legislature issued as a report by the **Research Bureau of the Pennsylvania State Chamber of Commerce,** Leonard P. Fox, general secretary. The memo calls for legislation to implement the 1922 home rule amendment to the constitution. Pointing out that because of the failure of the legislature to act, Pennsylvania lags behind other states in adoption of council-manager government, the report declares that "for most cities and many other governmental units, the council-manager plan probably offers the best form of government with which to meet the many problems now faced or just around the corner."

Taxes and Expenditures

Another Pennsylvania State Chamber of Commerce Research Bureau report for the chamber's Committee on taxation and Government Expenditures, Thomas J. Graves, secretary, answers the question, *Why Pennsylvania Faces a Program of New Taxes.* The report analyzes the 1945-47 and 1947-49 biennial budgets, points out that "the financial cupboard is bare" and urges sharp scrutiny of proposed spending programs before adoption of a new taxing program, which in any event should be "broad-based" so as not to hamper economic development of the state.

A comprehensive 337-page report on *State-Local Fiscal Relations in California,* compiled under the direction of Loran C. Vanderlip, has been issued by the **California State Chamber of Commerce.** The report examines and criticizes in detail state and local revenues, fiscal controls and relations, and lays the basis for a set of recommendations by the Chamber of Commerce which includes a request for a joint interim commission of the legislature to continue the study of California's tax

problems. Other needs indicated by the report include reallocation and readjustment of governmental functions among units and streamlining of local governmental machinery. Appendices carry tables of financial and other data for California counties and selected cities.

A discussion of a number of current fiscal proposals in the California legislature is included in the monthly bulletin of **Government Research, Inc., Los Angeles,** Ed F. Thompson, editor, under the title, "State Legislative Issues of Importance for the County and City of Los Angeles."

The sixth edition of *Cost of Government in Indiana* has been issued by the **Indiana Taxpayers Association,** Walter T. Horn, executive secretary, with the thought that it "can be used advantageously by Indiana legislators and by all others who by reason of the constant increase in governmental costs, have become even more conscious of their responsibility to study and understand public affairs."

Strictly Personal

Dr Thomas H. Reed, local government counselor of the Connecticut Public Expenditure Council, and **Mrs. Reed,** of the council's research staff, have resigned to devote full time to their nation-wide municipal consulting service. The Reeds are presently serving as consultants to the Charter Commission of Richmond, Virginia; developing a plan for the consolidation of the city of Baton Rouge and East Baton Rouge Parish, Louisiana; and on behalf of the Consultant Service of the National Municipal League preparing a council-manager charter for Augusta, Georgia, and legislation for a small school board elected at large on a nonpartisan basis.

Dr. William C. Beyer, for 23 years director of the Philadelphia Bureau of Municipal Research, has announced that he will retire to join the faculty of the Wharton School and the training staff of the Institute of Local and State Government of the University of Pennsylvania July 1 in order to devote himself "to the cause of better government in the field of training for the public service."

J. M. Leonard, for many years a member of the staff of the Detroit Bureau of Governmental Research, is working with Griffenhagen and Associates on a survey in Dayton, Ohio.

Sidney Detmers, who has been managing director of the Buffalo Municipal Research Bureau since it was organized in 1927, has retired as manager but will continue as a member of the board of directors. Mr. Detmers' successor as manager is **George O. Sipprell,** who has been with the bureau since 1937 as executive assistant and assistant manager.

John C. Bollens has resigned as research secretary of the Municipal League of Seattle to join the staff of the Bureau of Public Administration of the University of California, where he took up his duties the first of February. Mr. Bollens' successor is **Lorin Peterson.**

R. E. Chislett, II, is director of the new Department of Governmental Affairs of the Trenton, New Jersey, Chamber of Commerce.

The Bureau of Public Administration, University of Washington, has announced the appointment of **Ernest Howard Campbell** as assistant director and **Donald Calvin Sampson** as research associate. Mr. Campbell is a lawyer with a Ph. D in government and public law from Harvard University. Mr. Sampson's specialty is personnel administration.

Kentucky Citizens Seek Constitutional Revision

Organize Statewide Group for Vigorous Campaign

ON NOVEMBER 4, 1947, the people of Kentucky will vote upon the vital issue of calling a constitutional convention to revise and bring up to date the constitution of 1891. Success in this cause requires that those voting for a convention be a majority of all who vote on the question and equal to at least one-fourth of the total number who voted in the last general election.

Constitutional questions in Kentucky generally have not received as many votes as are required, but leading citizens and civic groups of the state are not daunted by that fact—they are already organizing and working hard to educate the people on the need for revision.

The **Committee for a New State Constitution** was organized last March, immediately after final legislative action to submit the question to a popular referendum. The committee secured financial support, distributed literature to civic leaders throughout the state, and established a speakers bureau. The speakers bureau wrote to women's clubs, school groups, luncheon clubs and professional and business societies in every city and town. Thus far it has promoted over four hundred speeches and panel discussions. Leaders in politics, education and civic affairs are members of the bureau and are helping in other ways.

In December 1946 the services of Paul G. Blazer, a leading industrialist and highly respected civic leader, were secured as chairman of the campaign organization. The statewide **Campaign for a Kentucky Constitutional Convention** is still in the process of being created; the original committee has become the Committee for Research and Organization. Mr. Blazer has brought about the active participation of a large number of business leaders, and the support of numerous civic, business, professional, educational, labor and women's groups has been secured.

No county campaign machinery has as yet been perfected. It is hoped that local leaders, with advice and assistance from the state organizing committee, will establish their own campaign organizations. To this end personal contacts are being made in the counties and letters are being sent to county leaders.

Meanwhile, the League of Women Voters and the Junior Chamber of Commerce have established local speakers bureaus in several of the larger cities and are carrying on educational campaigns. In some of the smaller cities and towns groups of lawyers and other civic leaders are promoting educational work.

Some opposition to a convention has developed, but up to the present time it is unorganized and not widespread. There is almost universal agreement that several changes should be made in the 1891 document but the opponents of a convention advocate making them by amendment. Proponents of a convention retaliate that only two amendments can be submitted at one time; and, even if the amendatory clause were changed, the legislature would hardly have time for constitutional revision in view of the fact that regular sessions are limited to 60 days every two years.

If present trends in public opinion continue the prospects for success seem bright—at least for success in the November referendum on calling a convention—but the proponents of revision are determined not to cease their efforts nor to become overconfident.

J. E. Reeves
Campaign for a Kentucky Constitutional Convention

How to Educate the Voter on Election Issues

For those organizations and citizens looking for ways and means of educating the voter on election issues and candidates, here is an account of some of the pre-election activities of the **Civic Club of Allegheny County** (Pittsburgh) as reported by Miss H. B. Scott, the club's assistant secretary.

"With a series of strikes against us—power and light, transportation and hotel—we have been operating daily under difficulties but are happy to report that the *Voters' Directory* for the November 5, 1946, election has been issued in larger numbers than ever before. Our first printing of 50,000 copies—25,000 for the **Allegheny County League of Women Voters and** 25,000 for the **Civic Club**—was practically exhausted one week from the day it was released. Less than a week later the additional 10,000 copies ordered jointly were allocated and moving quickly into the hands of individuals and agencies who use them.

"The broadcast of the KNOW YOUR CANDIDATE PROGRAM started Monday, October 21, 1946, through Friday, November 1. Each day the representatives of WWSW set up their wire recorder in front of one of the large movie theaters downtown at about 12:30 P. M. The interviewer, John Davis, outlines the reasons for the program, gives the names of the cooperating agencies, begins his interviews by putting each person at ease with one or two general questions such as name, size of family, number of voters in family, occupation, etc. Then he asks such questions as the date of the coming election; one or two of the major offices to be filled, the names of two candidates running for such office. Four or five persons are interviewed at each recording.

"A series of elaborate questions was worked out for use in the original program which began during the last primary election. It was found that the average person interviewed knew only major offices to be filled such as United States senator and governor. Mr. Davis has, therefore, concentrated on these two offices in the interviews.

"In addition to the broadcasts we are having a display window in the Farmers Bank at one of our busiest downtown locations. In this window are the photographs of candidates for the offices of governor, lieutenant governor, United States senator. In addition there is a supply of the *Voters' Directories* and a brief sign stating that the people elected to these offices will hold responsible positions in the government. To vote intelligently onlookers are urged to pick up their copy of the *Voters' Directory* inside the bank or at the offices of the cooperating agencies.

"During the period the window is set up, the wire recordings will be made there instead of at the movies. This window is being used jointly to advertise the KNOW YOUR CANDIDATE PROGRAM on WWSW and to feature the *Voters' Directory* on which the program is based.

"Another fifteen-minute program over KQV in the interest of getting out the vote had Charles L. Cunningham, chairman of the Civic Club's Voters' Directory Committee, and Mrs.

J. Telford Hamilton, chairman of the League of Women Voters' committee, as participants."

The Classroom Role in Citizenship

The **Henry County Council on Intergovernmental Relations,** in its recommendations on raising the stature of local government, comments that "Good government begins in the schools." It recommends that "a new vigorous course in government be taught in high schools and teacher training as well as general college courses, with main objects of: (a) stressing the practical study of local government; (b) emphasizing what the government does for the citizens and why; (c) emphasizing what the citizens should do for government and why."

An experiment in a campaign to get out the vote was recently conducted by Leo N. McCrann, principal of the Hartford, Connecticut, Northeast Jr. High School. Impressed with the apathy of the voters in the U. S. as compared with those of other countries Mr. McCrann brought the evidence before his faculty and student body, reports an article in *The Connecticut Voter* **(Connecticut League of Women Voters).** The result was a get-out-the-vote campaign which reached many more than the 700 students and 1,400 parents.

A six-point program of education in democracy was inaugurated. Social studies classes investigated the history of voting; English classes prepared essays on "Why Every Eligible Voter Should Vote" and a committee of five principals selected three winning essays; 85 posters were made by art students and placed in windows of neighboring stores; the school's print shop produced 700 flyers carrying voting slogans; and on the eve of election copies of a special election edition of the school newspaper, together with the fliers, were carried home by the students.

At the same time the school conducted a campaign to fill the office of president of the student body, carrying it out along the lines of an actual political campaign. "The campaign succeeded in impressing the students of their great privilege and duty as citizens to make use of their vote," says M. Gene Krieghoff, author of the article, "and when election day dawned it found Northeast Jr. High prepared to put practical democracy to work."

The **San Francisco City Planning Commission** is aiding in teaching the rudiments of urban planning to pupils at all grade levels in that city. Planning materials used in the schools are being developed into a *School Handbook on Community Planning* to facilitate teaching, according to the American Society of Planning Officials.

Matthew P. Gaffney, superintendent of the New Trier Township High School (Illinois), spoke before the Schools Committee of the **Chicago Union League Club,** where Edward M. Martin is secretary of public affairs, on teaching citizenship in the schools. One essential step, Superintendent Gaffney said, is giving students responsibility for matters they are capable of handling; two other essential steps include the creation of situations providing emotional drives for the citizenship program and giving students the necessary factual background in citizenship. In his own school, reported Mr. Gaffney, mock presidential nomination conventions and senate sessions and other dramatic presentations are used to give an emotional drive to the subject of citizenship. Dramatic productions staged by students produce the feeling that the American way of life is worth back-

ing. A carefully worked out curriculum includes courses in citizenship and related subjects.

The **National Self Government Committee,** whose aim is a student self-government program for the schools, has begun publication of its *Self Government News Letter* with information on recent developments. In its first edition, Dr. Julius Yourman, newest member of the committee's board of directors, suggests a formula for developing democracy via the schools: "Dynamic schools initiate students in democratic tradition and provide practical experience in democratic living in classroom, school and community problems. Qualified teachers build lasting attitudes by working *with* young people on problems students feel significant, making available the perspective of the past. . . . They develop realistic school citizenship and student government, defining in a Youth Charter the areas in which elected student representatives may legislate and those in which they may advise, and those in which the student electorate has a responsibility alone or shared with the faculty. This eliminates the sham of students being told they may run their school until the reality of the veto is required, or the dishonesty of a student government permitted to do only minor school chores under the direction of an assigned faculty representative, resulting in popularity contests for student offices which hold no real responsibility, and general disinterest among the school citizens."

Citizenship Day Aids

For those interested in laying plans for the celebration of Citizenship Day on May 18, here is a list of program aids:

Program Aids for Citizenship Recognition Ceremonies, revised edition; *Citizenship—Building the Program; Citizenship—Publicity and Educational Activities.* U. S. Department of Justice, Immigration and Naturalization Service, 1500 Chestnut Street, Philadelphia 2.

National Citizenship Day. By Committee on Citizenship. National Education Association, 1201 Sixteenth Street, N. W., Washington, D. C.

New Voter Preparation and Recognition; Organizing New Voter Programs. By Hugh S. Bonar. National Education Association, Washington, D. C.

Citizenship Training and Induction for New Voters. Organization Handbook. A Guide to the Wisconsin Citizenship Program. National Municipal League, 299 Broadway, New York 7.

* * *

New Publications

The *Toledo Municipal News,* new monthly publication of the **Municipal League of Toledo,** Ronald E. Gregg, executive secretary, is a four-page newspaper, with numerous photographs and graphs illustrating the civic news it publishes.

Come Right Up, published by the District II Commission on Public Relations and Publications of the **New York State Community Service Council,** Miss Dorothy Stock, chairman, describes the development of **Community Youth Councils** throughout the state. These councils, composed of young people between the ages of 18 and 30, have as their aim training for civic leadership. The pamphlet sets forth various instances in which councils have brought about local civic activities—plans for much needed recreation facilities, a series of forums, a radio series. It is attractively printed and illustrated in two colors.

Program for Action, a six-page publication of the **Georgia League of Women Voters,** leaves no doubt in the mind

of the reader as to where the league stands on these pronouncements: (1) Democratic government is founded on constitutional safeguards of certain inalienable rights of the people; (2) democratic government must be understandable by the people and accountable to the people if it is to endure; (3) democratic government must be efficient in order to cope with a streamlined, industrial age; (4) democratic government must assume new responsibilities to meet modern social demands. Under each declaration are the specific actions which the league considers necessary to meet the pronouncement. The list covers its program for May 1946–May 1948.

* * *

Boston Opens Campaign

According to Chairman George F. Oakes, the opening of headquarters for **The Plan E for Boston Committee** is the start of a "second citizens' revolution in Boston." "This citizens' uprising is no overnight awakening," said Mr. Oakes. "It is the result of 40 years of political filth which came from a broken down horse-and-buggy administration." A bill to secure Plan E for Boston—council-manager plan with P. R. for council and school board—is now before the legislature. Mr. Oakes explained that the bill does not force anything down the voters' throats. "By it," he said, "we would be allowed to go out and get the 20,000 signatures on a petition to place it on the referendum for 1948."

"Headquarters have been set up for a full-time political campaign and will carry on the fight this year, next year and in years to come—as long as the citizens want it to function," said Chairman Oakes. It is the plan of the committee, once a new charter has been secured, to continue the fight for good government by backing its own slate of candidates for council and the school committee.

* * *

Who's Who

The **Sacramento Chamber of Commerce** has recently issued *The Key to Sacramento*, a directory of city, county, state and federal officials within the city as well as a list of civic organizations, newspapers, radio stations, churches, schools, etc.

Names of members of their legislatures are published by *The Oregon Voter*, C. C. Chapman, editor, and the **Nevada Taxpayers Association** in its *Nevada Tax Review*, Dryden Kuser and Harry S. Allen, editors.

Greater Cleveland, edited by Robert D. Fleischer and published by the **Cleveland Citizens League**, issued a "Directory of Public Officials" covering those for the city, Cuyahoga County and the state. For the General Assembly only members from the county are listed.

* * *

Strictly Personal

J. Horace McFarland, secretary of the Municipal League of Harrisburg since 1901, has resigned his position after 45 years of service. He is succeeded by **Ralph Evans**, an attorney, who represented the organization at the recent meeting of the National Association of Civic Secretaries in Philadelphia.

The 1947 civic fund campaign of the Minneapolis Civic Council to raise $350,000 is headed by **George M. Jensen** as general chairman and **Gerald L. Moore** as general co-chairman, according to an announcement by President Paul W. Loudon. The Civic Council conducts an annual drive for funds to finance the work of seven affiliated civic agencies in the city.

Proportional Representation • • *Edited by George H. Hallett, Jr. and Wm. Redin Woodward*

(This department is successor to the Proportional Representation Review)

Congressional Elections Show Need of P. R.

Two Systems Compared in New York City Votes

THE election of congressmen from 25 single-member districts in New York City in 1946 provides an enlightening comparison with the choosing of approximately the same number of city councilmen by elections conducted in each of the five boroughs separately by proportional representation. The size of the city council and the apportionment of its members among the boroughs depends upon the size of the vote cast. A council of 23 members was elected in 1945. Comparison on a borough basis, except for combination of Richmond and Manhattan because Richmond has too small a population to have a congressional district all to itself, is readily permitted by district boundaries.

Minorities Shut Out

In Brooklyn a mere 58 per cent of the voters elected all nine congressmen for the Democrats. In Queens the same percentage elected all four congressmen for the Republicans. In each case a minority of more than two-fifths went without representation.

In contrast to this every one of the five P. R. elections for the council of New York City has given representation to the minority in each of the four large boroughs which elect more than one member.

In Queens in 1946 a shift of only 8 per cent of the congressional votes changed 75 per cent of the congressional representation. In the 1944 election the Republicans cast a bare majority of the votes (50.04 per cent) but elected only one of the four congressmen.

In Brooklyn also there was a fairly substantial gain in the 1946 Republican vote at the expense of the Democrats, who dropped from 63 per cent to 58 per cent of the total (even crediting them with minority party votes for their candidates amounting to about one-third of their total), but the election system failed to give this change any effect whatever.

Under P. R. the representation has always corresponded closely to the size of the votes and therefore a change in the vote has had only its corresponding effect on the make-up of the council. The table of councilmen elected in 1943 and 1945, in the January 1946 issue of this department, shows that in only one case did any party gain or lose more than one seat in any borough in the latest P. R. election.[1]

Minority Rule

In the Bronx in 1946 the Democrats elected three congressmen out of four with only 39 per cent of the votes, every one of the three being elected by less than half of those who voted in his district. The time before the Democrats had elected all four Bronx congressmen with a bare majority of the total votes, 54 per cent. The other place this year went to the Republicans with 32 per cent of the total—approximately their share—and 29 per cent who voted American Labor and Liberal elected no one.

[1]The Democrats jumped from one out of three to three out of five in the Bronx by including on their ticket a candidate of strong independent appeal.

In the one Bronx election under P. R. in which the Democrats failed to poll a majority of the votes, that of 1943, they elected one councilman out of three, the other two places going to the two largest sections of the opposition; and in 1945, with a Democratic majority winning three places out of five, the two largest sections of the opposition both won representation again.[2]

Only in Manhattan and Richmond did the congressional results in 1946 chance to approximate the division of the popular vote. Fifty-five per cent of the voters in the combined boroughs voted for Democratic and American Labor candidates. They elected three Democrats and one American Labor candidate out of a total of seven endorsed by the Democrats. The A. L. P. vote was approximately one-quarter of the combined Democratic and A. L. P. total. The other three places went to the Republican 45 per cent minority,[3] as they should have.

That this outcome was only a matter of chance, however, is shown by the fact that those who voted for and elected the four successful Democratic and A. L. P. candidates were only 30 per cent of the total. The other 25 per cent in their 55 per cent total of the vote was cast in districts carried by the Republicans and had no effect on the result. This 25 per cent could have been cast for the Republicans, bringing the Republican total up to 70 per cent without giving the Republicans more than three members out of seven.

[2]Both times the Republication section was the smallest in the P. R. elections and many Republican votes helped to elect the Liberal ("right-wing" Labor) member by transfer. Apparently many who voted for Republican congressmen voted Liberal as first choice for council.

[3]One of the successful Republicans was supported by the Liberal party, whose votes are included in this total.

Election of Radicals

The 1946 New York City congressional elections should go far toward dispelling a widely held illusion that P. R. plays improperly into the hands of radicals, based largely on the election of two Communists and one or two other left-wing radicals to the last two New York councils. In spite of the Republican tide Congressmen Vito Marcantonio and A. Clayton Powell, who had captured all three primaries in 1944 in their respective districts, were re-elected in upper Manhattan with Democratic and American Labor party nominations. These two congressmen are generally regarded as at least as far to the left as Councilmen Benjamin Davis and Eugene P. Connolly, the Communist and American Labor minority councilmen from the same borough.

In Brooklyn, which has the other Communist councilman, a former enrolled Communist on the American Labor party ticket, ardently supported by the Communist *Daily Worker*, won the nominations of all three parties in one of the state assembly districts and the American Labor party voters also used their trading powers to elect one of their members to the state senate with Republican backing.

When a radical is elected under the plurality plan he excludes all the conservatives in his district from any real representation. Those who fought bitterly against Marcantonio, first in the primaries and then in the final election, are supposed to be represented by him in Congress. Under P. R. there is no such exclusion. To quote the New York Citizens Union *News* for December, "P. R. does give fair treatment to radicals as well as others, but under P. R. radical councilmen repre-

sent only those who wanted them, while the other citizens in their districts have councilmen of their own."

Minority Exclusion in Other States

The situation in Queens and Brooklyn at the recent congressional election, in which one party took all the representation of the entire borough with but a moderate majority of the vote, was not exceptional in the nation. Thus, although Democratic voters cast a substantial percentage of the vote in Connecticut (43 per cent), Delaware (45 per cent), Idaho (49 per cent), Iowa (42 per cent), Kansas (46 per cent), Maine (36 per cent), Nebraska (37 per cent), Nevada (43 per cent), North Dakota (31 per cent), Oregon (32 per cent), South Dakota (36 per cent) and Wisconsin (38 per cent), they did not elect a single one of the 49 representatives from those states. Likewise, the substantial Republican vote in Arizona (40 per cent), North Carolina (38 per cent) and Rhode Island (46 per cent) failed to elect any of the sixteen representatives from those three states.[4]

The fact that the Connecticut Democrats, for example, failed to obtain a proportionate share of the representation of their state is not properly made up for by the fact that North Carolina Democrats obtained much more than a proportionate share of the representation allotted to their state; for none of the North Carolina representatives are in any way responsible to Connecticut Democrats—indeed, they are not even responsible to any national party discipline, as the representatives of some states farther south have made amply evident in the last few years.

[4]Except in the case of North Carolina, as to which the total vote for candidates for representative was readily available, the percentages given here refer to the vote for statewide offices at the 1946 election. The percentage vote for candidates for the House of Representatives is not likely to differ substantially from the percentages given.

New York Vacancy Elections

Under the New York State constitution a vacancy appointment in an elective office can last only until the end of the year in which it is made. Accordingly two Democratic vacancies in the P.R.-elected New York City council, one in Manhattan and one in Queens, were filled first by council appointment of other Democrats as provided in the city charter and then by ordinary borough-wide plurality vote in the November 5 election.

Both places were captured by the Republicans. This changes the Manhattan delegation to one Democrat (instead of two), two Republicans (instead of one), one American Labor party member elected with Democratic endorsement and one Communist. It changes the Queens delegation to two Democrats (instead of three) and two Republicans (instead of one). It reduces the Democratic majority in the whole council to one—twelve Democrats to eleven representatives of other parties. In Manhattan the Republican victory was largely attributable to the fact that the Democratic and American Labor parties, which cast a majority of the votes between them, failed to agree on a candidate acceptable to both.

While this change undoubtedly reflects the trend in the last election, it is only because the vacating members both belonged to the council majority that a majority election did no injustice. If a non-Republican minority member had vacated his seat, the constituents of the vacating member would have been left without their proper minority representation.

Yonkers and Long Beach, New York, avoid this danger by filling vacancies on their councils by recounts of the P. R. ballots cast at the last election to determine the next choice of the particular voters whom the vacancy has left unrepresented.[6] In effect the voters at each P. R. election choose not only councilmen but alternates to step into their places if needed. This procedure, being an election, does not violate the constitutional requirements as to vacancy appointments and makes it possible to fill each vacancy fairly for the balance of the unexpired term.

A Vote on P. R. in Northern Ireland

A motion to restore proportional representation in the six counties of Northern Ireland, part of the United Kingdom of Great Britain and Ireland, was voted down without a record vote in the parliament of the six counties at Stormont, reported the *Irish World* (New York) on February 1. Proportional representation was originally provided for the government of the six counties as part of the British act which partitioned Ireland in 1920 and was intended to overcome some of the objections to partition by assuring fair representation to the minorities in each section. The Unionist majority, however, soon voted proportional representation out except for indirect elections of the upper house, considerably reducing the representation of the opposition in the Northern Ireland Parliament. The *Irish World* charges that the gerrymander device has recently been used to give the government a majority of representatives in counties in which it generally fails to obtain a majority of the popular vote.

[6]See the REVIEW, September 1945, page 434.

South Australia Houses Divide on P. R.

After obtaining the necessary constitutional majority in the House of Assembly of South Australia, a measure providing for the introduction of proportional representation for the election of the South Australian parliament was defeated by a fourteen to five vote in the relatively unrepresentative Legislative Council. The vote in the House of Assembly, which is more representative of popular opinion, was twenty to seventeen in favor of the bill. That vote cut across party lines and was achieved in spite of the opposition of the Prime Minister. The leader of the opposition took a prominent part in the debates in favor of the bill.

P. R. Endorsed by Toledo Group

The Municipal League of Toledo on January 17 submitted a statement supporting the present P. R. council and city manager form of government in that city to the City Government Study Committee. Although Toledo voters have rejected a variety of proposals to change their form of government over the past few years, consideration is still being given to such proposals, some six plans other than the present plan being now before the committee. A plan submitted by the Toledo Central Labor Union proposes to substitute a council of seven elected by districts for the present council of nine elected by proportional representation.

The statement of the Municipal League declares proportional representation to be the "most fair and direct representation of citizens as a whole as experienced in Toledo and other cities," and cites voting records.

County and Township . . . . Edited by Elwyn A. Mauck

Fulton County Gets Manager Plan

Counties in Tennessee, Virginia Seek Charters

A BILL providing the manager plan for Fulton County (Atlanta), Georgia, was signed on February 22 after quick passage through both legislative houses. The Atlanta League of Women Voters and other civic groups have been working actively for such legislation over a period of years. The bill was drafted by a committee appointed by the county commissioners following a two-to-one vote in favor of a manager charter at the June 4, 1946, primary election.

Provisions of the act include:

1. Appointment of a manager by the county commissioners by majority vote for an indefinite term;

2. Removal of the manager only after notice and public hearing;

3. The manager must be between 30 and 65 years of age, of proven executive ability, not related to any of the commissioners, and not a holder of elective office within the preceding year;

4. The manager has supervision over all county employees except the county attorney, auditor and clerk of commission;

5. The manager is given authority to hire and fire subject only to civil service regulations;

6. He has authority over purchasing, budgeting and other executive matters;

7. He must abstain from all political activity.

Virginia Counties

Several more Virginia counties are actively considering adoption of the manager plan. Chesterfield County, which was authorized to employ an executive secretary by an act of 1938, recently entertained a motion to adopt the manager plan, but the motion did not receive the necessary second in the Board of Supervisors.

The 1938 act, applicable only to Chesterfield County, was amended by the state legislature in 1947 to include Giles County.

A recent popular election in Augusta County resulted in rejection of the manager plan with a very small percentage of the electorate voting.

McMinn County Bill

A bill providing the manager form of government for McMinn County, Tennessee, has been introduced into both houses of the state legislature by Senator J. P. Cartwright and Representative John L. Peck, both of McMinn.

The proposed legislation is sponsored by the Good Government League and numerous other civic groups and leading citizens. It names the members of the first council under the manager plan which, in turn, will choose the first county manager who need not be a resident of the county. It is reported that no political party affiliations were considered in the selection of these first council members, who are endorsed by the Good Government League. They will serve until the election of August 1948 when council members will be elected at the polls.

The bill will take effect immediately on passage. Under its terms "council shall have complete and direct authority over all functions, activities, personnel, procedure, finances and services of county government not clearly and specifically delegated to other elected county officials by the

constitution." Council also is given power to contract with municipalities in the county for consolidation of services and functions.

Petitions in St. Louis County

Adoption of a home rule charter by University City, Missouri, by a substantial majority on February 4 (see page 147) is expected to stimulate the movement for home rule in St. Louis County which includes University City. Petitions have been circulated calling for a board of fourteen freeholders to draft a charter for the county. The County Charter Organization Committee is conducting a campaign with assistance from the County Chamber of Commerce.

Seattle League Presses County Home Rule Measures

Among the reforms for King County and other Washington counties advocated by the Municipal League of Seattle are these:

1. A county home rule constitutional amendment. The league has drafted a constitutional amendment, now before the legislature, which would give Washington counties charter-making powers. The bill has been approved by the Senate Constitutional Reform and Elections Committee. A similar bill died in committee in 1945.

2. Establishment of the office of King County budget director to assist the county commissioners in preparation of the annual budget and to evaluate requests for emergency funds.

3. Immediate cessation of "emergency" appropriations in King County. During 1946 the league intervened in several instances to forestall such action.

City-County Consolidation Continues Progress

Recent developments in city-county consolidation include:

1. Miami, Florida, commissioners passed a resolution requesting complete consolidation with Dade County;

2. Atlanta and Fulton County, Georgia, are considering consolidation of police, utilities and public works services;

3. Ogden and Weber County, Utah, are considering consolidation;

4. A similar measure is being considered by Jefferson County and Birmingham, Alabama;

5. Louisville and Jefferson County, Kentucky, have formed a single sewer district;

6. The Milwaukee city council is considering several consolidation proposals with Milwaukee County;

7. Crow Wing County, Minnesota, is cooperating in the building of a city-county airport;

8. Ector County and the city of Odessa, Texas, have agreed to cooperate in the purchase of machinery for highway and sanitary construction;

9. The Florida Non-Partisan League of Women Voters at Winter Park has begun a study of the possibilities of city-county consolidation, as well as the advantages of the manager plan for Orange County.

Texas Considers County Consolidation

At its recent annual convention the County Judges and Commissioners Association of Texas heard its keynote speaker, a past president of the group, advocate that the 254 counties of Texas be reduced to 86. County Judge Gilbert Smith warned: "A strong, efficient county government represents our only hope of counteracting the steady trend toward federal centralization. Today, the goose quill, the wagon and team and the spinning wheel have no place in the modern scheme of our state economy, but we still cling traditionally to an outmoded,

obsolete form of county government that is just as effective in weaving the fabrics of government as the Smithsonian Institute heirloom is in weaving nylon hose."

Central Purchasing Shows Savings

The purchasing department of Pierce County (Tacoma), Washington, has saved the county thousands of dollars since its establishment in 1935, it is reported. The purchasing agent declares that department heads are thoroughly "sold" on the plan which permits them to extend their budgeted funds further than otherwise would be possible. Some of the economies involve metered postage, centralized mimeographing, competitive bids on printing, standardization of letterheads, and use of accounting machines for several simultaneous operations.

Washington State Grand Jury Investigates

The King County (Seattle), Washington, grand jury has been called into session for the first time in ten years. This group of seventeen citizens chosen by lot has been charged with the duty of investigating suspected violations of law by county officials and employees and waste of county funds. An investigational staff has been appointed to assist it.

Wisconsin Committee Favors Partial Reform

The Wisconsin Legislative Interim Committee on County Government recently has taken the following action:

1. It rejected, by a six to five vote, a proposed constitutional amendment permitting optional forms of county government—the five members favoring the proposal may file a minority report;

2. It rejected, also by a six to five vote, a plan to reduce the size of county boards;

3. It favored, by a ten to one vote, recodification of county laws to clarify county jurisdiction;

4. It favored, by an eight to two vote, appointment of county finance officers;

5. It favored, by a six to four vote, a limited degree of centralized purchasing;

6. A proposal to abolish county administrative boards was rejected nine to one;

7. Coordination of all welfare activities was favored nine to zero;

8. The proposal to place county traffic officers in the sheriff's office subject to the merit system was rejected eight to two;

9. Abolition of the fee system as a means of compensation was recommended by a vote of nine to zero.

Henry County Council Sponsors Programs

Current activities of the Henry County, Indiana, Council on Intergovernmental Relations include:

1. Sponsorship of a joint local-state-federal veterans service office;

2. Encouragement of joint city-county planning, specifically at this time in regard to the development of a World War II Memorial Parkway;

3. Emphasis on courses in local government which has resulted in the drafting of a bill requiring such a course in colleges and schools;

4. Development of a comprehensive law on community planning;

5. Assistance in the formation of planning commissions by appearances of its members before community discussion meetings, state meetings held jointly by county commissioners, highway superintendents and surveyors, and state meetings of township trustees.

Wisconsin County Reports Success of New Penal Law

Outagamie County, Wisconsin, reports the success of a recent penal statute which allows prisoners to earn wages while serving their sentences. The system permits the prisoners to work outside during the day, spending their nights in jail. In his recent annual report, the sheriff stated that in the first ten months of 1946, 23 prisoners, most of them sentenced for non-support, earned a total of more than $7,000. He pointed out that this operation of the law resulted in savings in relief payments which otherwise would have to be made and also served to rehabilitate the prisoners.

Veterans Service Officers Organize

The County Veterans Service Officers Association of Wisconsin has been organized and is holding periodic meetings and training institutes to study veterans' problems.

Michigan Local Government Institute Meets

The second biennial conference designed to give newly elected county officers the practical details of operating their offices was held on the Michigan State College campus, December 19-21, 1946. The sponsoring agencies were the Michigan Institute of Local Government, whose chairman is Hon. D. Hale Brake, state treasurer; the Institute of Short Courses, directed by Ralph Tenny; the Michigan State Police, Sergeant Robert Murray in charge of police training; and the Department of Public Administration of Michigan State College. In attendance were newly elected sheriffs, clerks, treasurers, registers of deeds, prosecuting attorneys and drain commissioners.

Practical instruction was given by members of the state police and federal agencies and by men and women who have had extensive experience in their respective offices. Speakers on the luncheon and dinner programs were Hon. Kim Sigler, then governor-elect of Michigan; Hon. Theodore G. Driscoll, commissioner of administration of Minnesota; Hon. Vernon Brown, lieutenant governor of Michigan; John A. Perkins, budget director of Michigan; Brigadier General O. J. Cleary, Michigan State Troops; Hon. D. Hale Brake, state treasurer; and Professor William H. Combs, head of the Department of Public Administration, Michigan State College. Clarence J. Paddock, treasurer of Eaton County, Michigan, was general chairman of the conference.

William H. Combs
Michigan State College

State Associations of County Commissioners Meet

Associations of county commissioners recently have held annual meetings in Ohio, Oregon, West Virginia, South Dakota and Texas.

Kansas County Commissioners Favor Retirement, Airports

Among resolutions adopted by the Kansas County Commissioners Association are:

1. That the association favor a retirement plan for county employees; and

2. That it recommend legislative measures enabling counties to establish CAA approved airports or join with cities or adjoining counties to establish such airports.

Taxation and Finance . . . . *Edited by Wade S. Smith*

New York Argues Airport Management

Two Proposals Before City Fathers Bring No Decision

TWO proposals by independent agencies to take over management and financing of New York City's large airports, LaGuardia and Idlewild Fields, have been before city officials but despite their consideration the city's airport problem is not much farther on the road to solution.

Financing of Idlewild poses a particularly difficult problem for the city, for if this large new field—partly constructed but not yet operable—is financed with city general obligation bonds it will consume a large part of the city's unused borrowing margin urgently needed for governmental rather than public service enterprise purposes. LaGuardia also requires the expenditure of additional funds—the precise amount is a matter of debate—to raise sinking runways and shore up or replace the administration building.

In August 1946 Mayor William O'Dwyer asked the Port of New York Authority, which operates the Holland Tunnel, George Washington Bridge, a large terminal and various other transportation facilities, to survey the city's airports and make proposals for their acquisition by the Port Authority. At the same time studies were being made by the New York City Airport Authority, established by the 1946 state legislature but apparently moribund during much of its existence.

Late in December the Port Authority submitted its proposals. Briefly, it offered to lease the two fields for a period of 99 years, finance the rehabilitation of LaGuardia and the completion of Idlewild with proceeds of $191,000,000 of its own bonds, and pay to the city a net rental of half the annual net income, which it estimated would run to at least $70,000,000 and probably would exceed the city's $91,000,000 investment.

The proposal offered a plan of runway and terminal layout involving minimum movement of passengers and a loading procedure designed to permit full use of loading gates, and embraced a comprehensive group of service buildings, including a hotel, to derive the maximum in revenues from concessions catering to passengers and from shops, etc., serving the airlines. The Port Authority proposed to retire its airport bonds in 30 years, to permit accumulation of reserve funds for the modernization and rebuilding inevitable over the century less a year for which the lease was to run.

The Port Authority's offer was coolly received by the Mayor and Board of Estimate, who declined comment pending "study" of the proposals and the Airport Authority's report.

The Airport Authority presented its report early in January. It offered to finance Idlewild's completion and the repair of LaGuardia with an issue of $80,000,000 of 40-year bonds, giving the city the right to recapture control of the fields at any time the city chose to redeem outstanding bonds and with the facilities to revert to the city in any event at the end of 40 years. The layout was much curtailed compared with the original plans for Idlewild, and although it estimated accumulation of surpluses from operations of some $67,700,000 which would be for the "benefit" of the city—a factor given much publicity—it was apparent that

this surplus would have to provide for expansion of the fields as well as for replacement reserves and modernization during the 40-year period.

A remarkable feature of the Airport Authority's report was that it not only proposed a program entailing less than half the borrowing contemplated by the Port Authority and superficially offering the city a far greater "benefit" but it also devoted much space to direct criticism of the Port Authority program and of the Port Authority itself. Officials of the Port Authority—whose twenty-year record of management of its facilities has justifiably given it a reputation for engineering, managerial and financial capacity placing the enterprise among the top half-dozen governmental proprietary enterprises in the nation—immediately issued a rebuttal statement and demanded an open hearing.

Port Authority Supported

The majority of civic organizations and the newspapers shortly lined up in support of the Port Authority's program, as details of the two plans became more widely known. The Port Authority catalogued a number of outlays which it claimed the Airport Authority had priced too low, and fiscal experts pointed out that the Airport Authority's proposal to use 40-year bonds for such improvement was banking too much on lack of further development in airport layouts.

It was evident also that either the Port Authority was estimating revenues ridiculously low or the Airport Authority was estimating them on a visionary basis, since the latter estimated more revenue per passenger while actually providing fewer money-making facilities than did the former.

More important, it was apparent that where the Port Authority's program provided an outstanding development with every prospect of realizing its financial expectations, the Airport Authority's program could not be expected to meet the potentialities for air traffic and would at the same time turn back to the city at the end of 40 years a plant, without accumulated reserves, which might conceivably have to be completely repaired and modernized.

The public hearing lasted most of a full day with a night session, and was inconclusive so far as an immediate decision of the Board of Estimate was concerned. The public, however, seemed pretty well convinced that most of the criticisms of the Airport Authority held water, and that the larger program of its competitor gave more promise of providing New York with adequate air transport facilities.

A considerable part of the debate centered on the alleged inability of either authority to secure a satisfactory interest rate on its bonds, which necessarily would be secured by revenues only and lack the security of a general obligation of the city. The Airport Authority made much of its supposed ability to meet the 2.5 per cent rate which the Port Authority expressed confidence of securing, and introduced a letter from a large investment banking firm purporting to guarantee financing at that rate. On public reading the letter proved to be prudently "hedged"—prices for municipal bonds at present are such that 2.5 per cent for 40-year bonds would be excellent even for a seasoned enterprise—and when a representative of the firm was placed on the witness stand he showed further prudence by making an offer of 2.5 per cent contingent not only on the market but also on substantiation of the Airport Authority revenue and cost estimates by the banker's own consultants.

In retrospect, the choice between the two proposals posed the most

important city problem yet to be presented to the O'Dwyer administration, not even excluding the city's perennial budget difficulties and the transit deficit. Already many of the air lines have placed their major maintenance shops in inland cities, and other Atlantic ports are making strong bids for international as well as for east coast terminal business.

The Port Authority program was a well conceived plan to maintain New York's present leading position, with service to the city as well as to the airlines and passengers, national and international. The city's handling of the problem was reminiscent of the bungling days of Tammany, however, and the situation remains confused.

Tennessee Adopts Sales Tax

One of the first major tax measures to be adopted by a 1947 legislature was a 2 per cent sales tax enacted by the Tennessee legislature on January 27. The tax had been urged by Governor McCord and will become effective June 1, 1947.

The tax is estimated to produce from $25,000,000 to $45,000,000. Under the terms of the law the first $20,000,000 will be allocated in fixed amounts: $14,000,000 to the state for school aid, $2,500,000 to municipalities on the basis of population, $2,000,000 for welfare, $1,000,000 for state buildings and maintenance, and $500,000 for administrative collection expense.

Receipts over $20,000,000 will be divided, 80 per cent to the counties, 12.5 per cent to cities, and 7.5 per cent to the state building and maintenance fund. The county share will be earmarked for schools and welfare and will be distributed on the basis of the formula used for gas tax allocations at present. The city share will be on a per capita basis.

Michigan May Repeal Sales Tax Amendment

Governor Sigler of Michigan on February 11 recommended to the legislature repeal of the sales tax amendment adopted November 5, 1946,[1] and the legislature with practically unanimous action voted to submit the question to the voters at the April 7 election. The amendment had earmarked one cent of the state's three-cent sales tax for aid to the local units.

W. P. Lovett,
Executive Secretary
Detroit Citizens League

Taxes and Manholes —No Sewer

Since 1913 official maps of the town of Harrison, in suburban Westchester County, New York, have shown a 752-foot sewer on Nelson Avenue and Condit Street, and abutting property owners have been taxed for it ever since. In mid-January plumbing contractors for a house-building veteran dug down to connect with the sewer, dug some more, and finally precipitated an investigation which disclosed that the sewer had never been installed. The 1931 contractor had built manholes but they connected with nothing.

Premature subdivision and improvement appears to have been at least one reason for the fraud going undetected so long. No houses occupy the abutting lots, although nearby streets have residential developments and real sewers. Officials estimate the town fathers must now spend $2,000 to build the sewer, but at last reports were still in the dark as to who had been entrusted with its construction originally and what could be done with the culprit if he were

[1]See the Review, January 1947, page 54.

apprehended. The taxpayers are sadder and perhaps wiser.

High Costs Delay Public Works Improvements

An increasing number of cities are postponing major public works projects because of inflated construction costs and the drain of higher wages on available funds. Of seventeen cities surveyed recently by the International City Managers' Association to determine effects of rising prices on municipal operating costs, nearly all are curtailing construction of capital improvements because of 100 per cent increases in building costs.

A typical example of public works curtailment is found in Muskegon, Michigan. Work on the city's new sewage disposal plant addition has been suspended because at current prices it would cost $900,000 for construction planned last year to cost $500,000. Bartlesville, Oklahoma, may have to ration water next summer because costs of constructing a new pumping station have become prohibitive.

Bids Rejected

A similar report comes from Grand Junction, Colorado, where bids have been rejected on much needed waterworks because of inflated construction costs. Berkeley, California, recently adopted a policy of rejecting bids out of line with normal price levels on virtually all but "emergency" projects. Austin, Texas, is postponing construction of new municipal buildings for which plans had been completed.

The same dilemma prevails in other cities. In Long Beach, California, construction of new fire stations and libraries is being postponed. High Point, North Carolina, also is curtailing public works construction. Other cities postponing work on planned capital improvements include Ashtabula, Ohio; Newton, Kansas; Roanoke, Virginia; and West Palm Beach, Florida.

State Studies Local Revenues

A preliminary study of local revenue sources in Tennessee by the State Planning Commission was issued late in December. It outlined sources of income now legally available to municipalities in that state and indicated where additional legislation may be necessary if use is to be made of some of the taxes and charges recently imposed elsewhere. The commission urged that interested agencies in the state collaborate later in a more comprehensive study.

The study points out the present variation in importance of the property tax from city to city, and such unsatisfactory features of property taxation as faulty assessment and inefficient administration and the inadequacy of property taxes to meet present demands without the imposition of additional charges. New revenues, it concludes, must not overlap state and federal taxation, must not be regressive, and must place the burden more equitably on the basis of benefit derived and ability to pay.

Tax Receipts

Included in the study is a tabulation of receipts in eighteen selected Tennessee municipalities, showing a wide variation in dependence on property taxes. The proportion of total receipts derived from property taxes varies from just under 21 per cent in two cities to nearly 82 per cent in one. Eight in all derived less than half their revenues from property taxes, and six derived more than two-thirds.

Latin America Maps Housing and Planning

Central Governments Take Initiative in Local Units

TO THOSE who have a knowledge of local government in the United States any examination of developments in local government in Latin American countries seems to be overshadowed by the traditional centralization of government in those nations. To a much greater extent than in this country current problems of Latin American local governments are inextricably bound up with possible action or inaction of central authorities.

Housing and Planning

The new "Housing and Planning" series of the Division of Labor and Social Information of the Pan American Union, edited by Francis Violich, emphasizes the dearth of local government activity in these fields in Latin America. Central governments, without particular reference to local units, are administering vast housing and planning projects while in many cases localities apparently have no powers to engage in these fields.

Together with the lack of interest in local government which is frequently discussed, these facts support the old maxim that if citizen interest in local government institutions is desired or desirable local governments need to be given a group of powers which are important.

Central direction and administration of housing is carried on in Panama and Peru and for the most part in Venezuela. A recent proposal in Cuba involved a central housing program primarily. The municipal government of Caracas, Venezuela, however, is active in the housing field.

Planning, traditionally a more local function than housing in Latin America, has been recently undertaken anew by several communities. Cardenas, Cuba, and Quito and Manta, Ecuador, for example, have put forth new city plans.

New Ecuador Law

A new municipal government law in Ecuador has been passed, according to the Pan American Commission for Intermunicipal Cooperation, to improve standards of municipal administration, establish new approaches to problems of housing and city planning, and incorporate the principle of international exchange into municipal activities.

The law permits municipalities in different parts of the country to form associations—either temporary or permanent — for their mutual benefit. Rules for these organizations are to be established by the Association of Municipalities of Ecuador which is made up of all cities in the country. The association is made responsible for organizing permanent commissions in each city on the following subjects: water and light, supplies, education and sports, hygiene and health, social service, public works and urbanization, finance, etc. Existing commissions will be reorganized in order to unify municipal action throughout the republic.

The association is empowered to join with similar organizations in other countries and to become a member of international municipal bodies.

Local city planning will be aided by the section of the law which provides that a technical body is to

operate in each provincial capital and prepare urbanization plans for the cantons (the territorial boundary of a municipality). These bodies are to be maintained and financed by the municipalities of each province but regulated by the Association of Municipalities. Local boards will be appointed with personnel drawn from municipal offices and from the fields of commerce, industry, agriculture, labor, the press, etc., for the purpose of advising and consulting with the technical bodies. A national technical body is to be established to coordinate municipal urbanization plans. The Minister of Municipal Affairs is to be responsible for organizing the Association of Municipalities.

Brazilian Cities Organize

The Brazilian Association of Municipalities was formally inaugurated on March 15, 1946.

Traffic Problems

Transit difficulties in Montevideo, Uruguay, have been the occasion for a complete new traffic ordinance and a study of methods of urban transportation in five Latin American cities. The study is reported in the November 1946 *Boletin* of the Pan American Commission on International Cooperation.

John A. Fairlie Dies in South

Dr. John A. Fairlie, who retired in 1941 as head of the Political Science Department at the University of Illinois, died January 23 in an Atlanta hospital at the age of 74. He had been an active member of the National Municipal League for many years, serving on numerous committees and contributing major leadership in the development of accepted standards in public administration. Committees on which he served most recently were those which brought out the most recent revisions of the *Model City Charter* and the *Model State Constitution.*

Born in Glasgow, Scotland, Dr. Fairlie was brought to this country by his parents as a boy and was educated at Harvard and Columbia Universities. He taught successively at the Universities of Michigan and Illinois and, as visiting professor after his retirement, at Ohio State University in 1942-43.

He was a member of the Michigan Constitutional Convention in 1907-08, managing editor of the *American Political Science Review* from 1916 to 1925, president of the American Political Science Association in 1929, and author of numerous works on public administration.

Harold D. Smith Dead at 48

Harold D. Smith, who had been director of the United States Bureau of the Budget 1939-46, died January 23 at his home in Arlington, Virginia, at the age of 48, only a few months after assuming his new duties as vice president of the International Bank of Reconstruction and Development.

Both before and after going to the federal government, Mr. Smith was prominently identified with the League. Most recently he was a member of the Committee on a Model City Charter which brought out the 1941 revision.

Educated in engineering and public administration at the Universities of Kansas and Michigan, Mr. Smith was with the Detroit Bureau of Governmental Research, the League of Kansas Municipalities, director of the Michigan Municipal League, director of the Bureau of Government of the University of Michigan, and director of the budget for the state of Michigan before going to Washington.

Books in Review

City and Regional Planning Papers. By Alfred Bettman. Edited by Arthur C. Comey with a foreword by John Lord O'Brian. Cambridge, Harvard University Press, 1946. xix, 294 pp.

Alfred Bettman, a number of whose writings on planning are here assembled, died just a year previous to preparation of Mr. Comey's preface to this volume in January 1946. "His passing," says Mr. Comey, "has left city planning bereft of able leadership."

The volume is divided into four parts. Part I is comprised of a selection of 24 of Mr. Bettman's most cogent papers, with a footnote to each title indicating the year in which it appeared. Part II is made up of two of his most important law briefs—"one pegged down the constitutionality of zoning in the leading Supreme Court case; the other did the same for public housing." Part III consists of Mr. Bettman's most important contributions to model drafts for statutes since his contribution to *Model Laws for Planning Cities, Counties and States,* a publication by Mr. Bettman and others which appeared as Volume VII of the Harvard City Planning Studies (the present volume is XIII). Part IV is a bibliography of Mr. Bettman's published writings on planning and housing, prepared by Miss Katherine McNamara, librarian of the Harvard Departments of Landscape Architecture and Regional Planning.

This collection of Mr. Bettman's papers covers the principal controversial planning issues down to the present time. Issues are dealt with one by one but fit together as a composite statement, thus bearing out the author's own insistence that park planning, major street planning, even zoning, were not in themselves city planning but only became so when integrated with one another in a comprehensive or master plan.

Additional Books and Pamphlets

(See also Researcher's Digest and other departments)

Airports

An Airport Program for the Philadelphia-Camden Metropolitan Area. Philadelphia 7, City Planning Commission, 1946. 98 pp. Illus.

Development of Newark Airport and Seaport. New York 11. The Port of New York Authority, 1946. 43 pp. Illus.

Terminal Airport Financing and Management. By Lynn L. Bollinger, Alan Passen and Robert E. McElfresh. Boston, Division of Research, Graduate School of Business Administration, Harvard University, 1946. xiv, 385 pp. $4.25.

Building Codes

Building Code Suggestions for Veterans Emergency Housing Program. Washington, D. C., National Housing Agency, 1946. 7 pp.

Directories

Directory of State Agencies in Nashville. Nashville 3, Tennessee State Planning Commission, 1946. 6 pp.

State Manual Containing Official List of Officers, Boards, Commissions and County Officers. Dover, Delaware, Secretary of State, 1947. 62 pp.

Education

Our Children. Annual Report of the Profession to the Public. By Willard E. Givens. Washington 6, D. C., National Education Association of the United States, 1946. 16 pp.

Elections

Elections Calendar for 1947. By Richard C. Spencer and Anna A. Meck. Washington, D. C., Department of Commerce, Bureau of the Census, 1947. 6 pp.

MAR 11 1947

Highways

Proposed System of Trafficways. City of Detroit Master Plan. Detroit, City Plan Commission, 1946. 24 pp. Maps. Illus.

Housing

Chicago Emergency Housing Code. Chicago, City Council, 1946. 26 pp.

Housing. E. R. Latty, special editor. Durham, North Carolina, *Law and Contemporary Problems,* Winter 1947. 208 pp. $1.

Reference and Source Material on Housing and Housing Needs; Economic and Social Costs of Good and Bad Housing; Who Pays for Public Housing. Washington, D. C., National Housing Agency, 1946. 30 pp.

International Affairs

The Big 4 in Germany—The Treatment of Germany as an Economic Unit. By David L. Glickman. Washington 6, D. C., National Planning Association, 1947. viii, 79 pp. 50 cents.

Land Subdivision

Land Subdivision Guidance and Regulation in New Jersey and a Model Draft of Platting Rules and Regulations. Trenton, New Jersey State Department of Economic Development, Division of Planning and Engineering, 1946. 20 pp.

Legislatures

Current Ideas in State Legislatures 1944-45. A Review of Laws Enacted During the Biennium. Compiled by the Staff of the State Law Section, Legislative Reference Service, Library of Congress. Washington, D. C., Superintendent of Documents, 1947. 98 pp. 20 cents.

Our State Legislatures. Report of the Committee on Legislative Processes and Procedures.[1] Chicago, The Council of State Governments, 1946. 29 pp.

[1]For a discussion of this report see the REVIEW, February 1947, page 93.

Planning

Comprehensive Plan City of Wichita, Kansas. Wichita, City Planning Commission, 1946. Variously paged. Illus. $2.

On Our Way. The Rye Development Program. Rye, New York, The Mayor, 1946. 31 pp. Illus.

Status of Applications by Tennessee Counties and Communities for FWA Advance Planning Funds. Nashville 3, Tennessee State Planning Commission, 1947. 16 pp.

Tennessee Is Making Plans. A Progress Report. Nashville 3, Tennessee State Planning Commission, 1947. 15 pp.

Public Libraries

Interim Report of the Survey of Public Libraries in New York State. Albany, Division of Research, Department of Education, 1946. 21 pp.

Public Works

1946 Public Works Congress Reports. Papers and Panel Discussions Presented at the 52nd Annual Meeting, September 1946. Chicago, American Public Works Association, 1947. 151 pp. $2.

Seventh Annual Report, Federal Works Agency 1946. Washington, D. C., Superintendent of Documents, 1946. v, 157 pp. 30 cents.

Taxation and Finance

Balances in State General, Highway and Postwar-Reserve Funds in 1946 (Preliminary). By N. B. Gerry. Washington, D. C., Department of Commerce, Bureau of the Census, 1946. 7 pp.

City Tax Legislation in 1946. New York 7, Tax Institute, *Tax Policy,* November 1946. 10 pp. 25 cents.

Seventh Biennial Report to the Governor of the State of Oklahoma. Period July 1, 1944, to June 30, 1946. Oklahoma City, Oklahoma Tax Commission, 1946. 286 pp.

State Income Taxes. Chicago 37, Federation of Tax Administrators, 1946. 28 pp.